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Open-ended ad hoc expert group on the consideration of the content of the non-legally binding instrument on all types of forests
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Agenda item 6

Report of the open-ended ad hoc expert group on the consideration of the content of the non-legally binding instrument on all types of forests

Summary

The United Nations Forum on Forests open-ended ad hoc expert group on the consideration of the content of the non-legally binding instrument on all types of forests met from 11 to 15 December 2006 at United Nations Headquarters in New York. The meeting was attended by 68 nominated experts, as well as representatives of member States, members of the Collaborative Partnership on Forests and representatives of other international organizations and major group organizations. The present report is to be submitted to the seventh session of the Forum for its consideration and appropriate action.

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I. Background

1. The Economic and Social Council, in paragraph 26 of its resolution 2006/49, requested the United Nations Forum on Forests to conclude and adopt at its seventh session a non-legally binding instrument on all types of forests and, in order to facilitate that work, decided in paragraph 29 of the same resolution that the Forum should convene an open-ended ad hoc expert group to consider the content of the non-legally binding instrument. The Council also requested the secretariat of the Forum, in paragraph 27 of the same resolution, to circulate to member States, by 31 July 2006, a compilation of the draft indicative elements and other proposals submitted by members during the sixth session as well as any further proposals submitted by members by 30 June 2006. In paragraph 28 of the same resolution, the Council invited member States to provide comments on the compilation by 31 August 2006 and requested the secretariat to circulate those comments to the member States.

II. Organizational and other matters

A. Venue and duration of the meeting

2. The meeting of the open-ended ad hoc expert group on the consideration of the content of the non-legally binding instrument on all types of forests was held at United Nations Headquarters from 11 to 15 December 2006.

B. Tasks of the open-ended ad hoc expert group

3. As outlined above, in its resolution 2006/49, the Economic and Social Council decided that the Forum should, within its existing resources, convene an open-ended ad hoc expert group for up to five days to consider the content of the non-legally binding instrument, drawing on the compilation of draft indicative elements and other proposals submitted by member States during the sixth session of the Forum. The Council also decided that the group should be convened in time to allow its outputs to be made available in all languages before the seventh session of the Forum and should be open to all member States, members of the organizations of the Collaborative Partnership on Forests and representatives of major groups.

C. Preparation, attendance and participation

4. Economic and Social Council resolution 2006/49 contained an annex with six proposals, provided by the African Group, Australia, Brazil, Canada, the European Union and the United States of America, on possible elements for the instrument. Following the sixth session of the Forum, an additional 12 proposals were submitted by the Association of Southeast Asian Nations (ASEAN), Australia, Brazil, Colombia, the European Union, Indonesia, Japan, Pakistan, South Africa, Switzerland, the United States of America and Zimbabwe. By the time of the completion of the note by the secretariat on developing a non-legally binding instrument on all types of forests (E/CN.18/AC.1/2006/2), comments had been provided by Colombia, Indonesia, Pakistan, the Republic of Korea and Switzerland

and a revised proposal had been provided by the European Union. In addition, two major groups, (a) children and youth and (b) women, had provided inputs.

5. The open-ended ad hoc expert group was composed of experts, designated by the Governments of the member States of the Forum, who had well-recognized scientific and technical expertise on the forest regime and the three Rio Conventions (Biodiversity, Climate Change and Desertification) and knowledge of the intergovernmental forest policy deliberations of the Intergovernmental Panel on Forests (IPF), the Intergovernmental Forum on Forests (IFF) and the Forum itself.

D. Election of officers

6. The ad hoc expert group elected Mr. Hans Hoogeveen (the Netherlands), the Chair of the Bureau of the seventh session of the Forum, as Chair of the ad hoc expert group and Mr. Hamidon Ali (Malaysia), Mr. André-Jules Madingou (Gabon), Mr. Cristian Maquieira (Chile) and Mr. Arvids Ozols (Latvia), members of the Bureau of the seventh session of the Forum, as vice-chairs.

E. Documentation

7. Documentation prepared for the meeting included the provisional agenda, with annotations (E/CN.18/AC.1/2006/1), the above-mentioned note by the secretariat on developing a non-legally binding instrument on all types of forests and a compilation of proposals and comments on the non-legally binding instrument on all types of forests (E/CN.18/AC.1/2006/3), submitted by member States and other groups. In addition, as a background document, the meeting was provided with a non-official composite draft text for a non-legally binding instrument on all types of forests. The original proposals submitted by member States and other groups, together with comments on those proposals, were also made available to the experts.

8. The note by the secretariat on developing a non-legally binding instrument on all types of forests had two purposes: first, to identify and analyse common elements among the 18 proposals and five comments provided by the member States and to identify other elements for possible inclusion; and second, to provide further elaboration of substantive, working and institutional elements for developing a non-legally binding instrument. The note included an annex, in tabular format, containing all the proposed elements provided by countries and regional groups. The elements were systematically compiled and elaborated through a comprehensive analysis of all proposals and comments received from member States and regional groups.

9. The complete list of documents submitted to the meeting can be found in annex III to the present report.

F. Conduct of the meeting

10. In adopting its provisional agenda, the participants agreed that, after the panel discussion with international experts on international law and finance, they would organize their work by giving detailed consideration to the compilation of proposals

and the non-official composite draft text for a non-legally binding instrument on all types of forests that had been prepared as a background paper.

G. Summary of panel discussion with international experts on international law and finance

11. The ad hoc expert group held a panel discussion on "International law and finance" on Monday, 11 December 2006.

12. The panel discussion provided a forum for experts to consider the nature of non-legally binding instruments as well as opportunities for financing sustainable forest management. Ms. Daniela Simioni, Executive Office of the United Nations Secretary-General, facilitated the panel discussion. Presentations were made by the following panellists: Mr. Francisco Rezek, former member of the International Court of Justice; Mr. Charles Di Leva, Chief Counsel of the Environmentally and Socially Sustainable Development and International Law Practice Unit of the Legal Department of the World Bank; and Mr. Markku Simula, Adjunct Professor of Forest Economics at the University of Helsinki. Presentations were followed by an extensive question and answer period.

13. Ms. Simioni stressed that any new international instrument for sustainable forest management should consider the gender aspect, such as household needs for wood-fuel, as well as employment and income opportunities for women and their involvement in reforestation and other conservation activities.

14. Mr. Rezek provided a brief history of non-legally binding agreements and what has come to be known as "soft law". He stated that such agreements had most often been used in the fields of economics and the environment, where it is difficult to assess and determine rights and obligations, in other words, when dealing with third generation human rights. He also stated that, provided such agreements have the support of the international community and public opinion, there is not necessarily a difference in the effectiveness of legally and non-legally binding instruments. The Universal Declaration of Human Rights was given as an example of a non-legally binding instrument that contains much more prescriptive language than used in many legally binding conventions. What makes it such an important piece of international law is the importance attached to its contents. In practice, the effectiveness of various types of instruments is dependent on the degree of political commitment to their implementation rather than their legal nature or the strength of the language contained therein. In response to a question regarding disputes, Mr. Rezek observed that because jurisdiction is difficult to define in international law, political or diplomatic means are most often used for the settlement of disputes, and that such means would also be most relevant for a non-legally binding instrument. He concluded by stating that the negotiation of an instrument on forests was very timely and appropriate.

15. Mr. Di Leva explained that non-legally binding instruments can have a major impact on the behaviour of Governments and international organizations, but that, in order to be effective, they must satisfy certain criteria. Typical characteristics of successful non-legally binding instruments include clarity, credibility, commitment and consensus and continuity. Clarity helps Governments and organizations understand what they need to do to achieve effective implementation. Credibility is increased if the instrument obviously addresses urgent or emerging global issues; for

forests these might include climate change, illegal forest-related activities and securing wider social and environmental benefits. Commitment and consensus are needed to develop a strong global partnership; this stems from conviction rather than the detailed wording of the instrument, and the weight of public opinion behind the instrument is a key factor affecting success. Continuity is achieved by having an effective governance structure that allows the instrument to be adapted, for example in the light of fresh scientific evidence. When asked about possible subscription to such an instrument, Mr. Di Leva stated that while there may be benefits to the use of subscription, it also creates the risk of creating two classes of participants to the agreement, with one set agreeing to be bound beyond the degree of the other. Therefore, if subscription were to be used, it would be important to ensure that all participants understand and agree to this approach.

16. Mr. Simula stated that the financing of sustainable forest management will have a critical impact on the effectiveness of any instrument. It is important to understand what needs to be financed, how much funding is needed, what the sources of funding are and what channels are to be used for disbursing funds. In practice, different types of activity (such as industrial, environmental or social forestry) are likely to require different financing strategies. The complex range of existing international financing mechanisms is not necessarily targeted specifically at sustainable forest management, for example, some mechanisms only fund activities that contribute to broader objectives, such as the Millennium Development Goals. Meanwhile, official development assistance (ODA) often plays only a catalytic role. Decisions on new and increased financial resources for sustainable forest management are increasingly influenced by political priorities in host countries. Lack of political will to create enabling conditions for public and private investment can be a key constraint, but opportunities to mobilize additional resources include the creation of certain conditions, including: capturing revenue that is lost due to illegal logging and associated trade, and payments for global and local environmental services from forests. Any new global instrument for financing of sustainable forest management should offer advantages over existing and emerging mechanisms. Sustainable forest management may also be promoted through other means, such as reducing perverse incentives that encourage deforestation and forest degradation. In response to a question regarding how to increase financing for sustainable forest management, Mr. Simula stated that increased political will could provide the catalyst.

H. Other matters

17. The participants welcomed the initiative of the Government of Indonesia to convene the country-led initiative in support of the United Nations Forum on Forests, entitled "Multi-year programme of work: Charting the way forward", to be held in Bali, Indonesia, in February 2007. The meeting will be co-hosted by the Government of Germany and supported by some donor countries and organizations. The participants noted the relevance and significance of the country-led initiative in the development of the non-legally binding instrument.

III. Matters for the consideration of the United Nations Forum on Forests

18. Following productive and wide-ranging discussions, the ad hoc expert group agreed to formally present the text contained in annex I of the present report to the Forum at its seventh session. Participants requested the Bureau, with the assistance of the secretariat, to prepare a revised draft composite text, taking into account remarks made by experts regarding the importance of developing a clear and concise instrument, to assist the Forum in its consideration of the matter at its seventh session. The participants also requested that the draft text be translated into all official languages of the United Nations and be made available to delegations at least one month before the start of the seventh session.

Annex I

Composite draft text for a non-legally binding instrument on all types of forests reflecting views expressed by the open-ended ad hoc expert group

Explanatory note

The following is the outcome document of the meeting of the open-ended ad hoc expert group on the consideration of a non-legally binding instrument on all types of forests, which took place in New York from 11 to 15 December 2006. It contains all proposals made by the participants at the meeting on a composite draft text of country submissions prepared by the secretariat of the United Nations Forum on Forests in consultation with the Bureau of the seventh session of the Forum prior to the meeting. Text that appears in *italics* has already been negotiated and agreed upon by the United Nations Forum on Forests. Proposed insertions to the original draft text are shown in **bold text** and proposed deletions are [bracketed]. Attributions to such proposals are included to the extent possible. All attributions are based on the secretariat's understanding of the proposals. The following page provides a list of all abbreviations used in the text.

Proposals made regarding the structure of the non-legally binding instrument are not reflected in the present document.

Abbreviations

AG	African Group
ARG	Argentina
ASEAN	Association of Southeast Asian Nations
AUS	Australia
BRA	Brazil
CAN	Canada
CHL	Chile
CHN	China
COL	Colombia
CPV	Cape Verde
CRI	Costa Rica
CHE	Switzerland
CUB	Cuba
EGY	Egypt
EU	European Union
FJI	Fiji
GIN	Guinea
GTM	Guatemala
IDN	Indonesia
IND	India
IRN	Iran (Islamic Republic of)
KHR	Cambodia
KOR	Republic of Korea
JPN	Japan
MAR	Morocco
MEX	Mexico
MG	Major groups
MRT	Mauritania
MYS	Malaysia
NOR	Norway
NTP	No text provided
NZL	New Zealand

PAK	Pakistan
RUS	Russian Federation
SEN	Senegal
SGP	Singapore
SDN	Sudan
URY	Uruguay
USA	United States of America
VEN	Venezuela (Bolivarian Republic of)
ZAF	South Africa
ZWE	Zimbabwe

Non-legally binding international instrument/understanding/ code for the sustainable management of all types of forests

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Preamble

Member States and regional economic integration organizations,[1]

Recalling Economic and Social Council resolution 2006/49 of 28 July 2006 on the outcome of the sixth session of the United Nations Forum on Forests *and Council resolution 2000/35 of 18 October 2000 on the report of the fourth session of the Intergovernmental Forum on Forests, in which, inter alia, the Council decided on the main objective and functions of the international arrangement on forests, established the United Nations Forum on Forests and invited the executive heads of relevant organizations, institutions and instruments to form a Collaborative Partnership on Forests to support the work of the Forum and to enhance cooperation and coordination among participants*,[2] (USA) (BRA, EU, IDN, ZAF)

(**Note**: EU proposed first part as a separate preambular paragraph)

Reaffirming their commitment to the Rio Declaration on Environment and Development, including, inter alia, that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction and to the common but differentiated responsibilities of countries as set out in Principle 7 of the Rio Declaration on Environment and Development,[3] (ASEAN, AUS, BRA, EU, IDN, PAK, SA)

Recalling the Non-legally Binding Authoritative Statement of Principles for a Global Consensus on Management, Conservation and Sustainable Development of All Types of Forests; chapter 11 of Agenda 21; the Intergovernmental Panel on Forests/Intergovernmental Forum on Forests Proposals for Action; resolutions and decisions of the United Nations Forum on Forests; the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development; the Monterrey Consensus of the International Conference on Financing for Development; and the internationally agreed development goals, including the Millennium Development Goals, the 2005 World Summit Outcome Document and relevant international legally binding instruments,[4] (USA) (ASEAN, AUS, BRA, CAN, EU, IDN, ZAF, CHE)

(**Note**: EU proposes combining the above two preambular paragraphs and adding the 2010 Biodiversity Target)

Reaffirming the importance of achieving the Millennium Development Goals within their time frame and their concern that some countries may not be in a position to so in view of lack of adequate financial and technical resources, (BRA)

Recognizing the importance of the multiple economic, social and environmental benefits derived from goods and services provided by forests and by trees outside forests,[5] (AG, AUS, COL, EU, PAK, ZAF, USA)

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[1] Hereinafter "member States" also refers to regional economic integration organizations.

[2] Economic and Social Council resolution 2006/49, first preambular para.

[3] Ibid., fourth preambular para.

[4] Ibid., fourth, third and fifth preambular paras.

[5] Ibid., sixth preambular para.

Emphasizing that sustainable forest management contributes *significantly to sustainable development, poverty eradication and the achievement of internationally agreed development goals, including the Millennium Development Goals*, taking full account of the linkages between the forest sector and other sectors,[6] (AUS, EU, IDN, ZAF, USA)

Expressing concern about continued deforestation and forest degradation, as well as the slow rate of afforestation and forest cover recovery and reforestation, and the resulting adverse impact on economies, the environment, including biological diversity, and the livelihoods of at least a billion people and their cultural heritage, and emphasizing the need for more effective implementation of sustainable forest management at all levels to address these critical challenges,[7] (AUS, BRA, EU, PAK, ZAF, USA)

Reaffirming the special needs and requirements of countries with fragile forest ecosystems, including those of low forest cover countries,[8] (BRA, ZAF)

Expressing concern that illegal logging and its associated trade in illegally harvested forest products have reached an alarming rate that is causing the loss of revenues, degradation of ecosystems, loss of biodiversity and aggravating poverty, particularly in developing countries, (IDN)

Recognizing the importance of domestic forest law enforcement and governance to sustainable forest management, and the contribution in this regard of regional forest law enforcement and governance ministerial processes and related trade initiatives, (USA) (ASEAN, AUS, EU, JPN, CHE)

Recognizing also the significant contribution of major groups and relevant stakeholders in the planning, development and implementation of national forest policies, (IDN) (AG, ASEAN, AUS, CAN, COL, EU, PAK, ZAF, CHE, USA)

Recognizing further the important contribution of voluntary public-private partnerships and private sector initiatives at all levels to achieving effective implementation of sustainable forest management and supporting national strategies, plans and priorities related to forests;[9] and noting in this regard, inter alia, the Congo Basin Forest Partnership and the Asia Forest Partnership, (AUS, BRA, EU, NZL, PAK, ZAF, CHE, USA)

Stressing the need to strengthen political commitment and collective efforts at all levels, to include forests on national and international development agendas, to enhance national policy coordination and international cooperation and to promote intersectoral coordination at all levels for the effective implementation of sustainable management of all types of forests,[10] (USA) (AG, ZAF)

Understanding that States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries in order to better address the problems of environmental degradation, and that trade policy measures for environmental

[6] Ibid., seventh preambular para.
[7] Ibid., eighth preambular para.
[8] Ibid., ninth preambular para.
[9] Ibid., eleventh preambular para.
[10] Ibid., twelfth preambular para.

purposes should not constitute a means of arbitrary or unjustified discrimination or a disguised restriction on international trade, (BRA)

Emphasizing that effective implementation of sustainable forest management is critically dependent upon adequate resources, including financing, capacity development and the transfer of environmentally sound technologies, and recognizing in particular the need to mobilize increased financial resources, including from innovative sources, for developing countries, including least developed countries, landlocked developing countries and small island developing States, as well as countries with economies in transition,[11] (USA) (BRA, CAN, IDN, ZAF)

Welcoming the accomplishments of the international arrangement on forests since its inception, including the joint initiatives of the Collaborative Partnership on Forests,[12] (EU, ZAF, USA)

Recognizing the need to strengthen the interaction between the United Nations Forum on Forests and relevant regional forest-related mechanisms, institutions and instruments, organizations and processes, with the participation of major groups, as identified in Agenda 21, and relevant stakeholders to facilitate enhanced cooperation and effective implementation of sustainable forest management, as well as to contribute to the work of the Forum, (IDN) (AG, ASEAN, AUS, CAN, COL, EU, PAK, ZAF, CHE, USA)

Reaffirming that the United Nations Forum on Forests, with the assistance of the Collaborative Partnership on Forests, is the key intergovernmental mechanism to support, facilitate and coordinate the implementation of sustainable forest management at the national, regional and global levels, and stressing the importance of its appropriate strengthening, (BRA)

Desiring to strengthen the international arrangement on forests, as set out in Economic and Social Council resolution 2000/35, and to focus on the effective implementation of sustainable forest management at the national, subregional and regional levels, (EU) (BRA, ZAF)

Agree to the following non-legally binding instrument/understanding/code on the sustainable management of all types of forests as a voluntary instrument to enhance international cooperation and to support national, regional and subregional policies and measures, within the International Arrangement on Forests and the mandate of the United Nations Forum on Forests, (BRA) (ZAF) and request the General Assembly of the United Nations to adopt the present international instrument/understanding/code on all types of forests. (EU)

[11] Ibid., tenth preambular para.

[12] Ibid., thirteenth preambular para.

I. Principles

1. The Non-Legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests,[13] [also known as] (IDN) (the Rio Forest Principles) and the Rio Declaration on Environment and Development,[14] which were adopted at the United Nations Conference on Environment and Development in Rio de Janeiro in June 1992, form the basis for **and are an integral part of** (CRI) [the principles contained in] (EU) the present instrument/understanding/code. (ZAF)

2. Member/**[participating]**/**[subscribing]** (US) States recognize [and resolve to respect the following principles]/**[the principles contained in this instrument** (MRT)**]**:

1 and 2 merged, *Reaffirming and building upon* the Rio Forest Principles[15] and the Rio Declaration on Environment and Development adopted at the United Nations Conference on Environment and Development, the member/participating/subscribing States resolve to respect the following principles:

(a) The present instrument/understanding/code is non-legally binding and **[is not governed by international law/[and not intended to affect international legal obligations]** (FJI) (AUS)**]** (MYS) Participation in this instrument/understanding/code is voluntary and open to all States **and regional economic integration organizations** (EU) **and major groups as identified in Agenda 21**; (MG) (USA) (*to be moved to section XVIII* (ARG, CRI, IRN))

[(b) — deleted]

[(c)] (COL, AG, SEN, IND, MRT, PAK) Each [country] **State** (MEX, CUB) is **[primarily** (IRN, CHN, MAR)**]** (NZL, EU, CHE) responsible for the sustainable management of its forests **[[having regard to]/[taking into account]** (CHL) **[their respective economic and geographical** (CUB)**]/[the geographical]/[national]** (NZL) **specificities** (RUS)**]** (CHL) **and capacities, including through human resources** (CUB) **and ownership of the forests** (AUS, CHE) and for the enforcement of its forest laws **and promoting good governance at both the national and international levels and provision of adequate financial resources and international support** (PAK, AG, IRN, EU, NZL, JPN, NOR), [which [is] **are** essential to achieving sustainable forest management]; (IRN) (BRA) (EU, JPN, USA, NZL, CHN, CHL, NOR, AUS, MAR, CHE) (move after para. (d) below (CHN); prefer original (MYS, USA))

[(d) — deleted]

(e) International cooperation **and sharing experiences** (MG) **[is important to the implementation of this instrument/understanding**. (AUS)**]** (VEN, IRN) **In particular,** (AUS) **financial support, technology transfer and capacity-building** (CHN, PAK, CUB, AG, VEN, GIN) play a crucial catalytic role in

[13] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted at the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex III. The Rio Forest Principles consist of 15 principles.

[14] Ibid., annex I.

[15] Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests.

[reinforcing]/**[supporting]** (CUB, BRA, IRN) the efforts of **all countries, particularly** (IRN, CAN) developing countries and countries with economies in transition to [improve the **sustainable** (CAN) management of their forests]/**[achieve sustainable forest management**; (MEX, IRN, CAN, CUB, AG, BRA, VEN, USA)**]** (BRA) (EU, USA)

[(f)] (CHE) Nothing in this instrument/understanding/code [is intended to [affect]/**[change]** (CHE) international legal obligations **of member/participating/ subscribing States**; (USA) (*to be moved to later section* (AG, ARG, CUB, IRN); *include as addition to para. (a) above* (FJI, MYS))

(f) bis. Nothing in this instrument prejudices the rights, jurisdictions and duties of member/participating/subscribing States under international law; (MEX)

[(g) — deleted]

(g) bis. There should be integral consideration of all functions of forests: *social, economic, ecological, cultural and spiritual*, within the framework of national forest policies; (RUS)

(g) ter. Sustainable forest management requires adequate financial resources to ensure its sustainability and competitiveness in the long term (CRI)

(h) The **involvement of** (IRN) [private sector, forest owners, local and indigenous communities, women and other stakeholders (USA, NOR, CHL)]/**[major groups as identified by Agenda 21** (*include forest owners and local communities*) (AUS, BRA, RUS)**]** can contribute to [achieving]/**[defining, implementing and evaluating** (MG)**]** sustainable forest management and, as [such (GTM, NOR, CHL)]/**[appropriate]** (AUS, RUS), should be involved in a transparent and participatory way **[[according to each member State's forest policies** (PAK)**]/[in accordance with national forest policies** (AG)**]]** (USA, CHL) in [public] (AUS, BRA, PAK, RUS, USA, NOR)/**[the process of** (IRN)**]** forest decision-making that affects them] (*to be moved to para. 8 (k)* (EU, MAR); (USA) (AG, ASEAN, AUS, BRA, CAN, COL, EU, IDN, NZL, PAK, ZAF, CHE, ZWE); *prefer original* (GTM))

[(i)] (AUS, COL, BRA, CHN, AG, ARG, CUB, VEN, IND) The *following seven thematic elements of sustainable forest management, drawn from the criteria identified by existing criteria and indicators processes, offer a coherent and useful reference framework for sustainable forest management*[16] *and constitute [an indicative global set of criteria for]*/**[a common framework of** (NZL)**]** *sustainable forest management*:

(i) Extent of forest resources;

(ii) Forest biological diversity;

(iii) Forest health and vitality;

(iv) Productive functions of forest resources;

(v) Protective functions of forest resources;

(vi) Socio-economic functions of forests;

[16] *Official Records of the Economic and Social Council, 2004, Supplement No. 22* and corrigendum (E/2004/42 and Corr.1), chap. I.B, resolution 4/3, para. 6.

(vii) Legal, policy and institutional framework;[16]
(USA) (ASEAN, AUS, EU, NZL, ZWE)

(Repeated in sect. 8, para. 10, and other sections)

(i) bis. Consideration should be given to such thematic elements as *extent of forest resources; forest biological diversity; forest health and vitality; productive functions of forest resources; protective functions of forest resources; socio-economic functions of forests; and legal, policy and institutional framework* (RUS)

II. Use of terms (NTP)

3. For the purposes of this instrument/understanding/code:

(a) "International arrangement on forests" means the arrangement consisting of the United Nations Forum on Forests and the Collaborative Partnership on Forests established with the *objective* of *promoting the management, conservation and sustainable development of all types of forests and to strengthen long-term political commitment to this end*;[17]

(b) Option 1: "Sustainable forest management": Forest management has been defined as the formal or informal process of planning and implementing practices aimed at fulfilling relevant environmental, economic, social and/or cultural functions of the forest and meeting defined objectives.[18] Sustainable forest management is forest management that aims at maintaining the sustainability of forest resources for the use of present and future generations;

(c) Option 2: "Sustainable forest management" means the stewardship and use of forests and forest lands in a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological and social functions, at local, national and global levels, and that does not cause damage to other ecosystems;[19]

(d) "Sustainably managed forest" is a forest subject to sustainable forest management;[20]

(e) "Forest": Land spanning more than 0.5 of a hectare with trees higher than 5 metres, and a canopy cover of more than 10 per cent, or trees able to reach these thresholds in situ;[21]

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[17] Based on resolution 2000/35, paras. 1-3.

[18] FAO, Proceedings of the Third Expert Meeting on Harmonizing Forest-related Definitions for Use by Various Stakeholders (Rome, 17-19 January 2005), p. 6.

[19] Second Ministerial Conference on the Protection of Forests in Europe, Helsinki, 16-17 June 1993, resolution III.

[20] Based on the definition of "managed forest" provided in the proceedings of the Third Expert Meeting on Harmonizing Forest-related Definitions for Use by Various Stakeholders, p. 7.

[21] FAO, Forest Resources Assessment 2005.

(f) "Natural forest": Forest stands composed predominantly of native tree species established naturally. This can include assisted natural regeneration, excluding stands that are visibly offspring/descendants of planted trees;[22]

(g) "Planted forest": Forests in which trees have been established through planting or seeding by human intervention;[21]

(h) "Forest resources": The natural resources found in a forest that include water, wildlife, foliage and forest floor plants,[23] as well as in wooded land and trees outside forests;[21]

(i) "Forest goods and services": Wood and non-wood forest products obtained from forests, and environmental services (for example, conservation of soil, water, biological diversity; micro and macro climatic effects; nutrient cycling) and sociocultural services other than those provided by the production of wood and non-wood products (for example, recreation and tourism; protection of cultural, aesthetic and scientific values) provided by forests;[24]

(j) "*Environmentally sound technologies*" are not just individual technologies, but total systems which include know-how, procedures, goods and services, and equipment as well as organizational and managerial procedures;[25]

(k) "Major groups as identified by Agenda 21" include indigenous peoples, non-government organizations, small forest landowners, business and industry, workers and trade unions, the scientific and technological community, women, children and youth and local authorities; (MG)

(Express concern regarding need of section (COL, AUS, RUS, BRA, EU))

III. Purpose

4. The purpose of this instrument/understanding/code is fourfold: (a) to intensify and further raise the political and public profile of forests at both the national and international levels, as well as to accord higher priority and support to the conservation, protection and sustainable management of the world's forests **and to prevent forest degradation** (RUS); (b) to provide a [conceptual] (EU) framework for the implementation of sustainable forest management and for the effective guidance of actions at the national, regional and global levels for the achievement of the internationally agreed development agenda**, the Millennium Development Goals** (EU) and internationally agreed policy objectives related to forests, in particular the Global Objectives on Forests; (c) to contribute to a greater understanding of what is meant by sustainable forest management; and (d) to provide a [global platform]/**[policy framework** (EU)**]** for closer cooperation and

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[22] FAO, Proceedings of the Third Expert Meeting on Harmonizing Forest-related Definitions for Use by Various Stakeholders (Rome, 17-19 January 2005), p. 5.

[23] Marc Côté, ed., *Dictionnaire de la foresterie/Dictionary of Forestry/Diccionario de foresteria*, special edition for the XII World Forestry Congress, p. 451.

[24] Food and Agriculture Organization of the United Nations.

[25] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I: *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II, para. 34.3.

collaboration among the many forest-related international and regional agreements, processes and organizations; (ASEAN, BRA, EU, NZL, CHE)

4 bis. The purpose of this instrument/understanding/code is to strengthen political commitment and actions at the national, regional and global levels (AUS) **to implement effectively sustainable forest management and to achieve the global objectives on forests [and to provide a global platform for closer cooperation and collaboration among the many forest-related international and regional agreements, processes and organizations** (MYS)**]** (AUS, NOR)

4 ter. The purpose of this instrument/code/understanding is:

(a) To promote the implementation of sustainable forests management and the achieving of the shared Global Objectives on Forests;

(b) To enhance the contribution of forests to the achievement of the internationally agreed development goals, including the Millennium Development Goals, in particular with respect to poverty eradication and environmental sustainability;

(c) To provide guidance for national action and international cooperation to those ends. (EU, USA, NOR, CHE, NZL, CRI, MEX)

IV. Global objectives on forests

[5. (PAK, CUB, CHL)] (EU, NZL, IDN, IND, USA, NOR, CHE, CRI, MEX) *The* [overarching] (USA) *objective of* this international instrument/understanding/code *is to promote the management, conservation and sustainable development of all types of forests and to strengthen long-term political commitment to that end;*[26] (EU) (ZAF)

[6. (PAK, CUB, CHL)] (IDN, IND) [[Member]/**[subscribing** (EU)**]** States]/**[participants** (NZL)**]** [decide to set]/**[reaffirm** (USA)**]** the following *shared Global Objectives on Forests and to work globally and nationally to achieve progress towards their achievement by 2015, with a view to achieving the main objective of* this international instrument/understanding/code *and enhancing the contribution of forests to the achievement of the internationally agreed development goals, including the Millennium Development Goals, in particular with respect to poverty eradication and environmental sustainability, and in this regard emphasizing the importance of political commitment and action at all levels for effective implementation of the sustainable management of all types of forests;*[27] (EU, USA)

(**Note**: ASEAN, AUS, BRA, COL, EU, NZL, PAK, KOR and USA propose the inclusion of the global objectives on forests as the objectives of the instrument/understanding/code, while IDN and ZAF suggest they should be reaffirmed/recalled)

6 bis. Member/subscribing/participating States reaffirm the following shared global objectives on forests and the intention to work globally, regionally and nationally to achieve progress towards their achievements by 2015: (EU, USA, NOR, CHE, NZL, CRI, MEX)

[26] Economic and Social Council resolution 2000/35, para. 1.

[27] Ibid., para. 3.

Global objective 1

Reverse the loss of forest cover worldwide through sustainable forest management, including protection, restoration, afforestation and reforestation, and increase efforts to prevent forest degradation.[27]

Global objective 2

Enhance forest-based economic, social and environmental benefits, including by improving the livelihoods of forest-dependent people.[27]

Global objective 3

Increase significantly the area of protected forests worldwide and other areas of sustainably managed forests, as well as the proportion of forest products from sustainably managed forests.[27]

Global objective 4

Reverse the decline in official development assistance for sustainable forest management and mobilize significantly increased new and additional financial resources from all sources for the implementation of sustainable forest management.[27]

[V. Scope] (USA)

7. This international instrument/understanding/code [relates]/[covers]/[**is applicable** (CHL)] to all types of forests [**regardless of the form of their ownership;** (RUS)] (IND). (EU)

VI. National measures, policies, actions or goals contributing to the global objectives on forests (ZWE)

8. Member/**participating/subscribing** States, *while taking national sovereignty, [practices]/*[**legislation**] (URY) *and conditions into account, should make all efforts to contribute to the [above] global objectives through the development or indication of* [**voluntary quantifiable/time-bound national targets** (CHE, CAN, MEX, EU, CRI, GTM, MG)] (URY), **in accordance with the Millennium Development Goals** (PAK), *voluntary national measures, policies, actions [or specific goals]* (CHE)[28] **integrated with national forest plans** (MG), [including]/[**which may include**] (NZL, AUS) the following: (EU) (AUS, PAK, USA)

(**Note**: CHE has proposed the development of quantifiable national targets related to the global objectives on forests)

8 bis. Member/participating/subscribing States resolve, while taking national sovereignty, legislation, (RUS, CHN) **practices and conditions, [and] available resources** (CHN) **and needs and priorities** (IND) **into account, to contribute to the above shared global objectives on forests [as follows]/[through mechanisms**

[28] Ibid., para. 4.

that may include the following (NZL)]: (USA, RUS, BRA, IDN, AUS, CHN, AG, CRI)

(a) To [fully take into account]/[**continue to implement** (EU)]/[**take steps and put more effort to implement** (AG)] the proposals for action adopted by the Intergovernmental Panel on Forests and the Intergovernmental Forum on Forests, and the resolutions of the United Nations Forum on Forests, **[that are relevant to** (AUS)]/[**in accordance with** (AG)] **national circumstances,** (AUS) [in [programmes, plans and strategies]/[**measures, policies, actions or goals** (RUS)] that aim at the achievement of the global objectives on forests; (BRA) (ASEAN, AUS, EU, ZAF, ZWE)] (AG)

(**Note**: This is related to the paragraph in section XII.A on cooperation and Coordination/Countries.)

[(b)] (IND, RUS) To formulate, implement, publish and regularly update national programmes containing measures **and targets** (CRI) to support and increase sustainable forest management and to combat deforestation, as well as measures related to the global objectives on forests; (BRA)

(b) bis. To formulate, implement, publish and regularly update national programmes, including national forest programmes or equivalents/other forest strategies, containing measures and [quantifiable, time-bound] targets to support and enhance sustainable forest management, including measures related to forest conservation, restoration, reforestation, afforestation and rehabilitation (EU)

(c) *To develop and implement national forest programmes, policies and strategies as appropriate,* [and *integrate national forest programmes or other forest strategies into national strategies for sustainable development, relevant national action plans and, where appropriate, poverty reduction strategies* **through capacity-building and transfer of environmentally sound technologies** (PAK)] (EU);[29] (USA) (AUS, BRA, CAN, EU, IDN, NZL, PAK, ZAF, CHE)

(c) bis. To integrate national forest programmes or equivalents/other forest strategies into national strategies for sustainable development, relevant national action plans and, where appropriate, into poverty reduction strategies; (EU)

(c) ter. To *integrate national forest programmes or other forest strategies into national strategies for sustainable development, relevant national action plans and, where appropriate, poverty reduction strategies*; (EU)

(d) To identify and implement appropriate measures *to enhance cooperation and cross-sectoral policy and programme coordination*[30] among sectors [affecting and affected by forest management] (CRI); (USA) (ASEAN, AUS, EU, IDN, CHE) (*move to section XII,* IDN) (*combine paras. (c) ter and (d)* (AUS))

(d) bis. To promote cross-sectoral integration within national economic structures and within the international economy, including land use planning and the impact that factors external to the forest sector may have on forests; (RUS)

[29] Ibid., para. 6, chapeau, and para. 6 (c).

[30] Ibid., para. 7, chapeau.

[(e)] (EU) *To develop,* further elaborate *and implement* [*national forest programmes, policies and strategies,* including] (URY, USA) *forest conservation,* [**reforestation, afforestation** (URY, USA)] (IRN) *and rehabilitation strategies* **for low forest cover countries** (PAK) [as well as strategies to *increase the area under sustainable forest management and reduce forest degradation and loss of forest cover*] **aimed at materializing the global objectives on forests** (IRN);[31] (USA and EU text combined) (ASEAN, COL, NZL, PAK, ZWE) (*combine paras. (c) and (e)* (EU, USA, IRN))

[(f)] (IND, USA, MAR, PAK) To strive [to maintain] (AG)/[**to establish** (FJI)] **and to increase** (AG) [**all types of forests** (EGY)]/[a national forest estate]/[**forest cover** (AUS)] as a percentage of total [**land** (AG)]/[**forest** (FJI)] area; (CAN, CHE)

(g) To **create,** (AG) develop **and expand** (AG) networks of protected areas; (ASEAN, CAN, IND, MAR)

[(f) and (g) alt.] (AG) **To strive to maintain and increase national protected areas;** (ARG, USA, SEN)

(h) To **strive** to (IRN) safeguard forests, [as appropriate] (IRN) from threats to health and vitality, including from fire, insects, diseases, pollution and **invasive** (IRN) alien species; (ASEAN, CAN, CHE, ZWE)

(h) bis. To address threats to forest health and vitality, [prevention of fires (CPV)] **including threats from fire, [insects,]** (NZL) **[diseases]** (BRA), **pollution and [invasive alien species]/[pests** (NZL, BRA)] **and disease** (BRA)] (AG); (USA, AUS, IND, BRA)

(i) To [require] **promote the use of** (BRA, USA, COL, AG, IND) **management tools such as** (MYS, URY) environmental impact assessments [**for projects with potential [significant]** (PAK) **impacts on forests, subject to national legislation** (USA)]/[**according to national legislation** (BRA, AG, GTM, URY) [for projects with likely adverse effects **on [the sustainable management of]** (IRN, PAK, MYS) **forests** (BRA)] (CHL)]; (CAN, CHE) (*include other tools: criteria and indicators* (URY)) (*keep in mind Principle 8 (h) of Rio Forest Principles, not make it weaker* (MEX, CHE))

(j) To *create an effective enabling environment for* [[foreign]/[**international**] (MYS) and domestic] (IRN, VEN) *investments in sustainable forest management, including investments* [*to avoid the loss of forest cover and forest degradation and support*] **on** (IRN) *reforestation, afforestation and forest restoration,* [as well as where appropriate] (EU, IRN) [*an enabling environment for the involvement of and investment*] (IRN, SEN) *by local communities and other forest users in sustainable forest management;*[32] (USA) (ASEAN, AUS, ZAF) (*also mentioned in paras. 36 (h) and 36 (i)* (EU)) (*prefer original* (AG))

(k) To involve [**major groups as identified in Agenda 21 and other relevant stakeholders** (CHN)]/[forest owners, local **and Indigenous** (CAN) communities, the private sector, civil society organizations and other **relevant** (IRN) stakeholders] (CHN) in a transparent and participatory manner in forest decision-

[31] Ibid., para. 2 (b).

[32] Ibid., paras. 5 (i) and 5 (j).

making [[that affects them] (IRN, MAR) [**in accordance with their respective national forest policies** (PAK)]/[**as appropriate** (IND)] **and to enhance** [public] (CAN) **participation** [**of stakeholders** (CAN)] **in the process of assessing progress made towards** [**the achievement of national goals and targets** (CRI)]/[**sustainable forest management** (USA)]]/[**in processes of planning, implementing, and assessing progress made to contribute to the achievement of the Global Objectives** (BRA)] **and in implementation** (IRN); (USA) (AG, ASEAN, AUS, CAN, COL, EU, IDN, NZL, PAK, ZAF, CHE) (*better to include under Principles* (EU, AUS, NOR)); (*merge paras. (k) and (l)* (CAN, IRN)) (*use language from para. 2 (h)* (IRN)) (*stay as national commitment* (USA, CHN))

(k) bis. To promote active participation and empowerment of all major groups as identified in Agenda 21 in the development, implementation and evaluation of sustainable forest management policies and programmes at all levels (CHE, MG) (*define major groups in definitions* (CHE))

(l) To *promote the active participation and empowerment of all forest-related stakeholders, especially,* where relevant, *local and forest-dependent communities, indigenous peoples, women and small-scale private forest owners and forest workers, in the development and implementation of sustainable forest management policies and programmes;*[33] (USA) (AG, ASEAN, AUS, BRA, CAN, COL, EU, IDN, PAK, ZAF, CHE)

(**Note**: EU proposed placing this paragraph under section XII on enhanced cooperation and cross-sectoral policy and programme coordination)

(l) bis. To promote the active participation and empowerment of all major groups as identified in Agenda 21, especially local and forest-dependent communities, in the development and implementation of sustainable forest management policies and programmes and in the development of culturally appropriate employment opportunities for local communities; (MG)

(k) and (l) merged. To promote the active involvement of forest owners, local and indigenous communities, the private sector and other forest stakeholders in a transparent and participatory manner in the development and implementation of relevant forest policies and programmes that advance sustainable forest management; (USA, CAN)

(m) **In countries where outstanding land tenure issues have been resolved** (MG), *to encourage* **forest owners and** (AUS, USA) *the private sector, including timber* [**and non-timber forest product** (SUD)] (USA) *processors, exporters, and importers, as well as civil society organizations, to develop, promote and implement voluntary instruments,* **and** [**approaches** (USA)]/[**measures** (EU)] [[including]/[**such as**] (AG, USA, GTM) forest certification schemes (AUS, CAN, CHE) [**that go beyond national legislation** (CAN)] (AG), in order **to demonstrate legal and sustainable production of forest goods and services as well as** (AUS)] (USA, MEX, EU, PAK)] (BRA, IND, COL, CHN, VEN) *to* [*adopt*]/[**promote**] (BRA) *good business practices and to improve market transparency* [**and promote achievement of the global objectives on forests** (BRA)] (USA, MEX, EU) **and promote sustainable forest management, reduce poverty, and extend the social and**

[33] Ibid., para. 6 (e).

cultural benefits of forests to all forest-dependent people (MG);[34] (CHE, USA, MEX, CHE, MYS, ARG) (*prefer Economic and Social Council language* (USA))

(m) bis. To encourage the development, promotion and implementation of voluntary measures, such as forest certification schemes, in order to demonstrate legal and sustainable production of forest goods and services and to enhance forest-based economic, social and environmental benefits; (*will accept original text of para. (m) if para. (m) bis is taken into consideration* (AUS))

(n) *To foster access, where appropriate, by households and communities to forest resources and markets;*[35] (USA) (ZAF) (*same as para. 36 (o)* (EU)) (*Prefer original* (COL, ARG))

(n) bis. To foster access to forest resources and markets for forest-dependent people; (MG)

(o) To monitor and assess forest conditions and progress towards sustainable forest management [[using [agreed]/[**national** (AG, MYS, IDN)] criteria and indicators **as well as, where appropriate, the seven thematic elements** (IDN) for sustainable forest management (CHE, MEX),] (BRA, MAR)]/[**using criteria and indicators of sustainable forest management based on national priorities and taking into account internationally agreed criteria and indicators** (RUS)] and prepare, periodically update and widely disseminate [**on a voluntary basis** (PAK, AG, IND, MYS)] (CHE) national reports reflecting such assessments **and to eventually implement national, subregional, and regional forest assessments** (AG) **depending on the national capacities and conditions** (CUB); (USA) (AUS, CAN) (*place under para. 8 (e)* (NZL)) (*move to section XV* (CHN)) (*prefer original* (JPN)) (*not in favour of moving* (MAR)) (*prefer to discuss under paras. 42-44* (EU))

(**Note**: ASEAN and Pakistan proposed a number of national measures that are more appropriate for section VIII on measures to be implemented under the seven thematic elements)

(o) bis. To promote forest law enforcement and governance in order to eradicate illegal practices; (JPN)

(o) ter. Support scientific and technological innovations for sustainable forest management, including innovations that help communities undertake sustainable forest management (para. 6 (a) of resolution 2006/49); (USA)

(o) quater. Strengthen mechanisms that enhance sharing and use of best practices in sustainable forest management; (USA)

(o) quinquiens. Initiate or strengthen private-public partnerships to promote implementation of National Forest Programmes, criteria and indicators for sustainable forest management and good business practices; (USA)

(o) sexiens. Develop and implement strategies to strengthen forest law enforcement and combat illegal logging and corruption in the forest sector; (USA)

(o) septiens. Develop and strengthen institutions to create transparent and effective markets for the products and services, including ecosystem services of sustainably managed forests; (USA)

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[34] Ibid., para. 6 (h).

[35] Ibid., para. 5 (m).

(o) octiens. To integrate forestry in poverty reduction strategies and social development programmes of the member/subscribing/participating States; (PAK)

VII. Relationship to other instruments

[9.] (USA) Taking into account the work undertaken by *existing international* [*legally binding* (CHN)] (NZL) *instruments relevant to forests,*[36] *interaction should be strengthened with these instruments in order to facilitate enhanced cooperation,* [synergies (MEX)] (CHN) *and effective implementation of sustainable forest management.*[37] (ASEAN, AUS, CAN, COL, EU, NZL, PAK, ZAF)

[The UNFF will establish and maintain relationships ... (EU, CUB)] (MAR) (*could also be under enhanced cooperation, section XII* (EU, RUS, MAR, IND, CUB)) (*or move to previous section (something for countries to undertake)* (MAR)) (*maintain* (MYS) (MEX)) (*move to preamble* (MRT))

9 bis. Taking into account the work undertaken by existing international instruments relevant to forests, interaction should be strengthened with those instruments that seek to achieve similar objectives in order to facilitate enhanced cooperation, synergies, and effective implementation of sustainable forest management (MG).

[VIII.] Seven thematic elements of sustainable forest management and the Intergovernmental Panel on Forests/Intergovernmental Forum on Forests proposals for action (CRI)

10. This Instrument/Understanding/Code should *facilitate the implementation of the Intergovernmental Panel on Forests/Intergovernmental Forum on Forests* proposals for action *through clustering and further simplifying of the language, as needed, taking into account existing work, and through promoting greater stakeholder understanding of the intent of these proposals.*[38] Moreover, *voluntary national reports on progress towards achieving the forest global objectives* should *take into consideration, as appropriate, the seven thematic elements of sustainable forest management*[39] identified in resolution IV/3 of the United Nations Forum on Forests, which are listed below. To that end, annexes should be developed that cluster and simplify the proposals for action according to the seven thematic elements (NTP):

(*a*) *Extent of forest resources;*

(*b*) *Forest biological diversity;*

(*c*) *Forest health and vitality;*

(*d*) *Productive functions of forest resources;*

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[36] Ibid., fifth preambular para.

[37] Ibid., para. 2 (c), and Ministerial Declaration and Message from the United Nations Forum on Forests to the World Summit on Sustainable Development, para. 12.

[38] Ibid., para. 7 (a).

[39] Ibid., para. 19.

(e) *Protective functions of forest resources;*

(f) *Socio-economic functions of forests;*

(g) *Legal, policy and institutional framework;*

(*useful for non-legally binding instrument? How to simplify? Where to link with Global Objectives on Forests?* (BRA)) (*seven thematic elements already in section I, para. 2 (i)* (SEN) (EU)) (*perhaps need to regroup/change list of elements, i.e. add participation of communities and other actors* (SEN)) (*support streamlining, monitoring and reporting and elements useful as framework for this as well as the instrument* (NZL)) (*include this in possible future programme of work* (NZL) (EU)) (*prefer to refer to the seven thematic elements under section XV* (COL, CRI, AG)) (*pull all references to national reports together into section XV* (SGP)) (*place in preamble* (MRT))

10 bis. The following seven thematic elements of sustainable forest management drawn from the criteria identified by existing criteria and indicator processes provide a coherent and useful reference framework for sustainable forest management and constitute an indicative global set of criteria for sustainable forest management. They also provide a conceptual framework for promoting a common understanding of sustainable forest management and for actions to achieve it, including the Intergovernmental Panel on Forests/ Intergovernmental Forum on Forests proposals for action: (USA)

(a) Extent of forest resources;

(b) Forest biological diversity;

(c) Forest health and vitality;

(d) Productive functions of forest resources;

(e) Protective functions of forest resources;

(f) Socio-economic functions of forests;

(g) Legal, policy and institutional framework.

(para. 10 bis. to replace para. 10 and para. 2 (i) of section I; check placement for consideration after section on principles)

10 ter. Sustainable forest management is the process of planning and implementing programmes and practices to provide for and to maintain the full range of social, economic and environmental functions of forests to meet the needs of present and future generations. The following seven thematic elements of sustainable forest management, drawn from the criteria identified by existing criteria and indicator processes, offer a coherent and useful reference framework for sustainable forest management and constitute an indicative global set of criteria for sustainable forest management:

(a) Extent of forest resources;

(b) Forest biological diversity;

(c) Forest health and vitality;

(d) Productive functions of forest resources;

(e) Protective functions of forest resources;

(f) Socio-economic functions of forests;

(g) Legal, policy and institutional framework.

10 quater. Member/participating/subscribing States and international organizations should:

(a) Take into account the seven thematic elements and the relevant Intergovernmental Panel on Forests and Intergovernmental Forum on Forests proposals for action in order to facilitate sustainable forest management;

(b) Facilitate efforts to increase greater stakeholder understanding of the intent of the Intergovernmental Panel on Forests and Intergovernmental Forum on Forests proposals for action, including through clustering and further simplifying of the language as needed (AUS).

IX. International trade in forest resources, products and services (RUS)

11. Member/**subscribing/participating** States [commit]/[**should** (CAN, NZL, SGP)]/[**are encouraged** (CHN)]/[**endeavour** (AG)]/[**resolve** (RUS)] [to:] **trade from products of sustainably managed forests by:** (SGP)

(a) Enhance trade through further development of open, predictable and non-discriminatory international trading rules, **trade agreements,** (FJI) and practices, [including financial systems] (EU); (ASEAN, MYS)

(a) bis. Enhance trade in forest products that promotes sustainable forest management, poverty reduction and economic development that benefits forest-dependent people and discouraging trade of non-sustainably managed forest products, illegally sourced fibre and products from forests where land tenure issues are unresolved; (MG)

[(b)] (MG) Removing trade barriers and impediments, including emerging trade restrictions, for better market access [and prices] (NZL) for higher value-added forest products; (ASEAN)

(a) and (b) alt. Encouraging trade in forest products and investment in the forest sector by removing barriers to trade and by developing and implementing open, predictable and non-discriminatory international rules (and practices) (MYS, EU) **for trade and investment** (USA, NZL, EU) **and further promoting market access for products from sustainably managed and [legally harvested forests;** (IDN, NZL)] (IND)

[(c)] (MG) *Promoting a mutually supportive relationship between trade and environment*[40] that further facilitates international trade of forest products from sustainably managed and legally harvested forests; (ASEAN)

(c) bis. Promoting a mutually supportive relationship between trade and environment and, to that end, further facilitating legal (CAN) **trade from**

[40] IPF proposal for action, para. 128 (b).

sustainably managed and legally harvested forest[s] (USA, NZL, EU, CAN, SEN, MEX, NOR, RUS) **products,** *(para. (c) bis merges paras. (c), (d) and (e))*

[(d)] (AG, USA) *Trading in* forest *products from sustainably managed* and legally harvested *forests;*[41] (ASEAN) (AUS, IDN, CHE)

[(e)] (USA, CHN) Not facilitating trade in illegally harvested forest products;[42] (ASEAN, AUS)

(e) bis. Taking actions to prohibit trade in illegally harvested forest products; (AG, SEN)

[(f)] (MG) Promoting [bilateral, regional and international]/[**multilateral** (JPN)] cooperation in forest law enforcement and governance to combat illegal [logging and its associated trade, particularly of illegally harvested timber, non-timber **forest** (JPN) products, [wildlife (IND, SEN, IRN)] (CHN, MYS) and other forest products (IDN) (ASEAN, AUS, EU, JPN, CHE, USA)] (USA) **harvest of, and associated trade in, timber, wildlife and non-timber products** (USA)

(f) bis. Member/participating/subscribing States deciding to strengthen their capacities to address illegal forest-related practices according to national legislation and associated trade in forest products, through the promotion of forest law enforcement and governance at the subnational, national, subregional, and regional levels, as appropriate (EU); *(from resolution 2006/49, para. 6 (g))*

[(g)] (JPN, EU) **Strive to** (MYS) Ensuring that *voluntary certification and labelling schemes are operated in accordance with relevant [national legislation]*/[**international obligations** (USA, NZL)] so that *such schemes are not used as a form of [disguised protectionism]*/[**arbitrary or unjustified discrimination or disguised restriction in international trade** (AUS, NZL)]/[**non-tariff barriers** (MYS)];[43] and (ASEAN)

(h) Promoting valuation, **and** (NZL) accounting [and pricing] (NZL) systems that internalize the full environmental, **economic** (CRI, CHE) and social, **cultural** (IRN, CHE) costs of forest products **and services** (MEX, CHE) sourced from [sustainably managed]/[**all types of** (MG)] forests. (ASEAN) (*consideration for different placement within text* (USA, IND, CAN))

(h) bis. Encouraging, adopting or extending, consistent with international obligations (USA), **public procurement policies to the extent that they are supportive of international policies** (USA) **that favour legally sourced timber and share experiences of this with the private sector and with others;** (EU, JPN)

[(h) ter.] (USA, RUS, IND) **Establishing an appropriate international mechanism to objectively and transparently assess forest certification schemes and public procurement policies against standards that will be internationally agreed in order to promote mutual recognition of forest certification schemes and to facilitate trade in legally and sustainably produced forest goods and services.** (AUS, JPN)

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[41] IFF proposal for action, para. 41 (a).

[42] Very similar to IFF proposal for action, para. 41 (f).

[43] IPF proposal for action, para. 133 (a).

[12.] (USA, AG) [The United Nations Forum on Forests will] (NZL)/[**Member/participating/subscribing States will** (IRN)]/[**Efforts will be made to** (CHN)] address **legal and** (IRN) illegal forest-related practices and associated trade in forest products through **appropriate mechanisms** (IRN), **inter alia** (CRI), greater information-sharing [and international cooperation] (IRN). (EU) (ASEAN, AUS, IDN, JPN, CHE, USA)

(*make into subpara. 11 (i)* (NZL)) (*redraft para. to make it more concise and attributable to both member States and the Forum* (RUS)) (*not reflected: poverty reduction, economic development and forest-dependent people, unresolved land tenure issues* (MG))

X. [**Research** (AUS, CAN, CHE, ZWE) **and scientific activities** (IRN)]/[**Technical and scientific cooperation** (EU)]

13. *Countries are encouraged to highlight the essential role of science and research in sustainable forest management and to incorporate, as appropriate, research strategies and programmes into national forest programmes or equivalent programmes.*[44] (PAK)

13 bis. Member/subscribing/participating States resolve to strengthen the contribution of science and research in advancing sustainable forest management by incorporating scientific expertise into forest policies and programmes. (USA)

13 ter. Subscribing States will promote international technical and scientific cooperation, including South-South cooperation and triangular cooperation, in the field of sustainable forest management, where necessary through the appropriate international, regional and national institutions (EU, FJI)

13 quater. Subscribing/participating/member States will provide greater support to scientific and technological innovation as well as traditional forest-related knowledge (IND) **for sustainable forest management, including innovations that help indigenous and local communities undertake sustainable forest management** (EU)

13 quinquiens. Member/participating/subscribing States will undertake collaborative research and development with potential technical and financial support [from developed countries] (MEX) **in the field of sustainable forest management.** (PAK)

14. *Countries are also encouraged, within their capacities, to strengthen linkages between science and policy by enhancing the capacities of research organizations, institutions and scientists, [in particular in developing countries]* (IRN).[45] (NTP)

14 bis. Member/participating/subscribing States are urged to enhance the research and scientific forest-related capacities of developing countries (IRN)

15. **Member/subscribing/participating States resolve to** (USA) [Countries are further encouraged to] *strengthen forestry education, research and development*

[44] *Official Records of the Economic and Social Council, 2004, Supplement No. 22* and corrigendum (E/2004/42 and Corr.1), chap. I.B, resolution 4/1, para. 1.

[45] Ibid., para. 2.

through global, regional and subregional networks, as well as through relevant organizations, institutions and centres of excellence in all regions of the world, particularly in developing countries, as well as countries with economies in transition;[46] (BRA, IDN, EU) (PAK, ASEAN)

(**Note:** EU proposed having this under technical and scientific cooperation)

16. *The donor community, international organizations and financial institutions are called upon to enhance the capacity of research organizations in developing countries in generating and accessing forest-related data and information, including through information and communication technologies infrastructure, strengthening the skills of researchers and supporting networking activities.*[47] (NTP) (*move to sect. XIII, means of implementation, or work of the Collaborative Partnership on Forests, sect. XII* (USA))

17. *International and regional organizations, institutions and processes, with the involvement of various stakeholders, are encouraged to promote and support integrated and interdisciplinary research on forest-related issues of importance at the national and global levels, both within and between national and international research organizations and institutions to enhance sustainable forest management and to promote conservation and sustainable use of forest resources.*[48] (NTP)

18. *The Collaborative Partnership on Forests is invited to provide, if requested by the United Nations Forum on Forests, an assessment of scientific knowledge-based actions needed to achieve sustainable forest management and the global objectives at all levels.*[49] (EU)

(**Note:** EU proposed to have this paragraph under sect. XII) (*reverse order of paras. 18 and 19* (EU)) (*paras. 18 and 19 to be moved to sect. XII* (MEX))

19. Member/participating/subscribing [States]/**[countries]** (EU) [will] **are encouraged to** (CAN) support *the joint initiative by the International Union of Forest Research Organizations, the Center for International Forestry Research and the International Center for Research in Agroforestry, in collaboration with other members of the Collaborative Partnership on Forests, on science and technology in support of the United Nations Forum on Forests by assessing available information and producing reports on forests-related issues of high concern to the* Forum and the implementation of this international instrument/understanding/code.[50] (EU)

(**Note:** EU proposes having this under technical and scientific cooperation) (*not appropriate to relate to such activities* (IRN))

18 and 19 alt. Member/participating/subscribing States, as members of the governing bodies of the Collaborative Partnership on Forests member organizations, encourage the pursuit of joint initiatives on science and technology to strengthen the contribution of research and development in advancing sustainable forest management (USA, AG, CAN). (*to be in*

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[46] Economic and Social Council resolution 2006/49, para. 7 (b).

[47] *Official Records of the Economic and Social Council, 2004, Supplement No. 22* and corrigendum (E/2004/42 and Corr.1), chap. I.B, resolution 4/1, para. 4.

[48] Ibid., para. 6.

[49] Economic and Social Council resolution 2006/49, para. 22 (e).

[50] Ibid., para. 23.

international actions section related to the Collaborative Partnership on Forests (USA))

20. [Countries] **Member/participating/subscribing States** (USA) [, member organizations of the Collaborative Partnership on Forests, financial institutions and relevant regional and international organizations should] **resolve to** (USA) strengthen follow-up to the implementation of resolution 4/1 on forest-related scientific knowledge, adopted by the Forum at its fourth session. (NTP)

XI. Public awareness and education (CAN, CHE, ZWE)

21. Member/participating/subscribing States **resolve to** (USA) [will] promote and encourage, **including through the media** (USA) understanding of the importance of **sustainable forest management** (USA) [and the measures required for the sustainable management of forests, as well as its dissemination through the media and the inclusion of these topics] **and its inclusion** (USA) in education programmes. (EU) (ASEAN, CAN, IDN, PAK, CHE)

22. *Countries are urged, within their capacities, to recognize the importance of forestry education and research for achieving sustainable forest management, and are called upon, within their capacities, to enhance forestry education and research capacity.*[51] (PAK)

22 bis. Member/subscribing/participating States will promote and encourage universal access to formal and informal education, extension and training programmes required for the implementation of [sustainable management of forests]/[sustainable forest management (AG)**]** (MG) (*to replace para. 21 as well* (CHE))

23. Member/participating/subscribing States [will] **resolve to** (USA) cooperate, as appropriate, with other member States and international organizations **and major groups as identified in Agenda 21** (MG) in developing educational and public awareness programmes with respect to the sustainable management of forests. (EU) (ASEAN, CAN, IDN, PAK, CHE) (*move to section on international action/cooperation* (USA))

24. *Countries are encouraged to support [, particularly in developing countries,]* (MEX) *national programmes of education* and public awareness *regarding sustainable forest management among* **[all stakeholders including** (IRN)**]/[major groups as identified in Agenda 21, in particular,** (MG)**]** *youth*, women, **local and forest dependent** (PAK) **communities** (IND), **indigenous peoples** (CAN) and other major groups, [*in order to promote their involvement in* the management, conservation and sustainable development of all types of forests] (EU) **as well as in the equitable distribution of benefits** (CRI).[52] (ASEAN, PAK) (*para. 22 bis makes this duplicative* (USA))

[51] *Official Records of the Economic and Social Council, 2004, Supplement No. 22* and corrigendum (E/2004/42 and Corr.1), chap. I.B, resolution 4/1, para. 15.

[52] Language taken from *Official Records of the Economic and Social Council, 2003, Supplement No. 22* (E/2003/42), chap. I.C, resolution 3/3, para. 13.

21, 22, 23, 24 alt. Member/participating/subscribing States resolve to promote and encourage understanding of, and the measures required for, the sustainable management of forests:

(a) Through enhancing their forest education capacity;

(b) Through the media and the inclusion of these topics in education and awareness programmes;

(c) Through cooperation with other member/participating/subscribing States and international organizations in developing such programmes;

(d) Through supporting such programmes among the major groups as defined in Agenda 21 in order to promote their involvement in sustainable forest management. (SGP)

XII. Enhanced cooperation and cross-sectoral policy and programme coordination (AG, AUS, CAN, COL, ZWE)

A. Countries

25. *Countries are encouraged to enhance cooperation and cross-sectoral policy and programme coordination in order to achieve the global objectives and to promote sustainable forest management by:*[53] (ASEAN, AUS, EU, CHE)

(a) *Facilitating implementation of the Intergovernmental Panel on Forests/Intergovernmental Forum on Forests proposals for action through clustering and further simplifying of the language, as needed, taking into account existing work, and through promoting greater stakeholder understanding of the intent of these proposals;*[54] (EU) (ASEAN, AUS, BRA, IDN, ZAF, USA)

(**Note:** There is a related paragraph under national measures)

(b) *Also strengthening cooperation and partnerships at the regional level, as needed, to:*

(i) *increase political, financial and technical support and capacity,*

(ii) *develop regional strategies and plans for implementation;*

(iii) *collaborate on implementation activities;*

(iv) *exchange experiences and lessons learned;*[55] (EU) (BRA, JPN, ZAF, USA)

(v) enhance forest-related wildlife law enforcement and governance; (USA) (ASEAN, EU, JPN, CHE)

(c) Promoting bilateral, regional and international cooperation on forest law enforcement and governance to combat illegal logging and its associated trade, particularly on illegally harvested timber, non-timber products, wildlife and other forest products; (IDN) (ASEAN, EU, JPN, CHE, USA)

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[53] Economic and Social Council resolution 2006/49, para. 7.

[54] Ibid., para. 7 (a).

[55] Ibid., paras. 7 (c), 7 (c) (i), 7 (c) (ii), 7 (c) (iii) and 7 (c) (iv).

(d) Identifying and implementing measures to improve regional and international coordination among sectors affecting and affected by forest management; (USA) (EU)

(e) *Establishing or strengthening multi-stakeholder partnerships and programmes.*[56] (AUS, EU, NZL, ZAF)

B. International processes and organizations

26. *Relevant multilateral environmental agreements, instruments, processes and United Nations bodies are invited to improve collaboration and cooperation with the international arrangement on forests* and this non-legally binding instrument/understanding/code.[57] (EU, NZL)

27. The United Nations Forum on Forests will establish and maintain cooperation with relevant international organizations, institutions, treaty bodies and major groups on matters covered by this international instrument/understanding/code in a mutually supportive manner. (EU) (NZL)

28. Member States are encouraged to facilitate international support, especially through the Collaborative Partnership on Forests, for national actions to implement sustainable forest management and establish and maintain protected forest areas. (USA)

Collaborative Partnership on Forests (AG, AUS)

29. The Collaborative Partnership on Forests is invited to support the work of the Forum and this non-legally binding instrument/understanding/code. To that end, *the Forum will provide guidance to the Partnership.*[58] (EU)

30. *As State members of the governing bodies of the member organizations of the Collaborative Partnership on Forests, member States are urged to help ensure that the forest-related priorities and programmes of members of the Collaborative Partnership on Forests are integrated and mutually supportive, consistent with their mandates;*[59] (USA) (ASEAN)

31. *State members of the governing bodies of the member organizations of the Collaborative Partnership on Forests* are urged to help ensure that forest-related activities in their programmes of work are in line with this international instrument/understanding/code.[59] (EU)

32. The United Nations Forum on Forests and the Collaborative Partnership on Forests will review the programmes of work of the members of the Collaborative Partnership in order to identify opportunities for synergies as well as duplications and gaps with the international instrument/understanding/code, with a view to enhancing cooperation between the members of the Partnership, in particular by developing joint action plans. (EU) (NZL)

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[56] Ibid., para. 7 (d).

[57] Ibid., para. 9.

[58] Ibid., preambular para. 14 and para. 22, chapeau.

[59] Ibid., para. 24.

33. Members of the Collaborative Partnership on Forests are invited to:

(a) *Strengthen collaboration and coordination on forest issues in order to foster progress towards sustainable forest management at the global, regional and national levels;*[60] (EU, NZL, USA)

(b) *Continue and further develop its ongoing initiatives on monitoring, assessment and reporting on forest resources, on streamlining national forest reporting, on the sourcebook on funding for sustainable forest management, on harmonizing forest-related definitions and on the Global Forest Information Service;*[61] (EU, USA)

(c) *Further harmonize processes for voluntary monitoring, assessment and reporting, taking into account the seven thematic elements for sustainable forest management, with a view to reducing the reporting burden on countries;*[62] (USA)

(**Note:** this also has been included in the section on Monitoring, assessment and reporting) (EU, AUS)

(d) *Translate relevant policy recommendations of the United Nations Forum on Forests* on the implementation of this instrument/understanding/code *into their work programmes;*[63] (EU) (USA)

(e) *Explore ways to involve major groups in the activities of the Collaborative Partnership on Forests and to strengthen its contribution to activities at the regional level;*[64] (EU)

(f) *Continue to strengthen the Tehran Process, consistent with their mandates and programmes of work, through developing and implementing strategies on conservation and rehabilitation of forests in low forest cover countries.*[65] (EU)

34. Member States and stakeholders *interested in the work of the Collaborative Partnership on Forests are urged to support its joint initiatives by making voluntary financial contributions to the respective lead organizations of the Partnership, as appropriate.*[66] (EU)

C. Regional processes and organizations (AG, AUS)

35. *Forest-related regional and subregional bodies, mechanisms and processes, in coordination with the United Nations Forum on Forests secretariat, as appropriate, are invited to strengthen collaboration and to provide input to the work of the Forum* in the implementation of this instrument/understanding/code *by:*[67] (EU) (ASEAN, BRA, IDN, JPN, NZL, KOR, USA)

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[60] Ibid., para. 22 (a).
[61] Ibid., para. 22 (b).
[62] Ibid., para. 20.
[63] Ibid., para. 22 (c).
[64] Ibid., para. 22 (d).
[65] Ibid., para. 22 (f).
[66] Ibid., para. 25.
[67] Ibid., para. 11.

(a) Raising *awareness of the work of the United Nations Forum on Forests* and this instrument/understanding/code *at the regional and subregional levels;*[68] (EU) (ASEAN, BRA, IDN, JPN, USA)

(b) *Addressing topics identified in the multi-year programme of work, with a view to sharing with the United Nations Forum on Forests regional and subregional perspectives on these topics;*[69] (EU) (IDN, JPN)

(c) *Encouraging participation of interested members of the United Nations Forum on Forests, especially from within the region, as well as members of the Collaborative Partnership on Forests, relevant regional organizations and major groups.*[70] (EU) (AUS, IDN, JPN)

D. Major groups

35 bis. Countries, international and regional processes and organizations should involve the major groups as identified in Agenda 21 at all levels in the implementation of this instrument (MG)

XIII. Means of implementation

A. Finance (AG, COL, CHE)

36. **Urges** (IRN, PAK, CUB, AG) [*Countries*] **subscribing**/participating/member States (EU) [participating in this instrument/understanding/code are *urged*] *to make concerted efforts to secure sustained high-level political commitment to strengthen the means of implementation, including* **provision of** (IRN, CUB) **predictable and adequate** (PAK, BRA, CHN, ARG, AG) **dedicated, new and additional** (IND, CHN) *financial resources*, enhancement of capacity-building, transfer of appropriate and environmentally sound technologies, and technical assistance, *to* [provide] *support* **the national efforts of** (IRN, PAK, CUB) *[in particular for] developing countries, including least developed countries, landlocked developing countries, and small island developing States, as well as countries with economies in transition in order to achieve the global objectives and to promote sustainable forest management [by]:*[71] (KOR, ZAF)

36 bis. Member/participating/subscribing States resolve to contribute to [all actions intended to implement sustainable forest management and (AUS)**] the shared global objectives on forests by cooperating bilaterally, regionally and globally to:** (USA, AUS)

36 ter. Subscribing/participating/member States will encourage and assist countries, including those with low forest cover, to develop and implement forest conservation and rehabilitation strategies, increase the area of forests under sustainable management and reduce forest degradation and the loss of forest cover in order to maintain and improve their forest resources with the

[68] Ibid., para. 11 (a).
[69] Ibid., para. 11 (b).
[70] Ibid., para. 11 (c).
[71] Ibid., para. 5.

view to enhancing the benefits of forests to meet present and future needs, in particular the needs of indigenous peoples and local communities whose livelihoods depend on forests: (IRN, PAK)

Above (a). **Support countries, in particular developing countries, in their efforts to implement the national measures and actions set forth in section VI of this instrument/code/understanding** (USA, BRA, ARG, NOR, JPN, CHE) (*Incorporate into chapeau* (IRN))

(a) *Reversing the decline in official development assistance for sustainable forest management;*[72] (EU, IDN, USA, CUB, AG, IRN, EU)

(b) Mobilize [ing] (USA) *and provide [ing]* (USA, AG) *significant new and additional resources for sustainable forest management from private, public, domestic and international sources to and within developing countries, especially least developed countries, landlocked developing countries,* **low forest cover countries** (PAK, IRN, CUB) *and small island developing States, as well as countries with economies in transition,* as well as through voluntary **and enhanced** (MYS, CUB) contributions to [*existing*] (IRN) *forest-related funds,* **including those funds** (IRN) *hosted by members of the Collaborative Partnership on Forests, including the National Forest Programme Facility, the Programme on Forests and the Bali Partnership Fund;*[73] (USA) (AUS, CAN, EU, IDN, ZAF, CHN, AG, PAK, IND, CUB, EGY) **to support national forest programmes and national actions aimed at implementing sustainable forest management as well as integrating forest issues in national development programmes and, where appropriate, poverty reduction strategies** ((EU, EGY) *from Economic and Social Council resolution 2006/49, para. 5 (c)*)

[(c)] (USA) **Option 1**: Establish[ing] (AG, PAK, CUB) a [global financing mechanism] (AG, PAK, CUB, VEN)/global forest fund/forest development fund **applicable to all types of forests** (URY) with the aim of providing [specific]/**[dedicated** (IND, PAK, VEN)**]** **and sufficient** (BRA, CUB, VEN) financial resources for achieving the objectives of this instrument/understanding/code**, in particular for developing countries** (CUB, VEN), **particularly in implementing sustainable forest management** (MYS) (ASEAN, BRA, COL, IDN, ZAF, CHN, MYS, IND, MEX, PAK, IRN, CUB, VEN, URY)

[(d)] (USA) **Option 2**: *Assessing and reviewing the current funding mechanisms as well as, if appropriate, inter alia, the possibility of having a voluntary global funding mechanism as a contribution towards achieving the global objectives and implementing sustainable forest management;*[74] (EU, CAN, EU) (*more appropriate in the multi-year programme of work* (USA)) (*could merge options 1 and 2* (URY))

[(e)] (IRN, IND, PAK) *Inviting members of the Collaborative Partnership on Forests, in particular the World Bank, as host of the Programme on Forests, to maintain and enhance support to analytical work and knowledge generation and to develop new tools and approaches to key issues within the forest sector, in particular those relevant to the global objectives, in order to support developing countries, as well as countries with economies in transition, [in accessing]/***[to**

[72] Ibid., para. 5 (a).

[73] Ibid., paras. 5 (b), 5 (c) and 5 (d).

[74] Ibid., para. 5 (e).

mobilize and access (AG, CHN, PKN)] *additional national and international funding*;[75] (AUS, EU, USA, CHN) (*collect paras. on the Collaborative Partnership on Forests and collaboration* (USA)) (*should refer to governing body* (USA)) (*address role of the Collaborative Partnership on Forests under para. (g) below* (IRN))

[(f)] (USA, IRN) [*Welcoming the ongoing work of the Global Environment Facility to clarify its focal area strategies and operational programmes and, in this context,*] (AG, PAK) *invite the Global Environment Facility Council to fully consider the potential for strengthened Global Environment Facility support for sustainable forest management, [including the option to establish a separate operational programme on forests,* **with sufficient additional funds** (PAK), *without prejudicing other operational programmes]* (EU);[76] (BRA, EU, IND, AG) (*consider with relation to para. (c) above* (IRN)) (*keep para. but substance reserved pending* (EU))

[(g)] (USA) *Inviting the governing bodies of* **the members of the Collaborative Partnership on Forests and other** (IRN, PAK, IND) *international financial institutions, development agencies and regional banks to consider ways to generate and facilitate access to resources, and to respond to requests from developing countries to finance forest-related activities,* **especially in the implementation of sustainable forest management** (CHN, IND);[77] (EU, ZAF, AG)

[(h)] (USA) *Creating an* **effective** (EU) *enabling environment for investment* **[by the private sector and local communities** (KHM)**]** (VEN) *in sustainable forest management, including to* **support reforestation, afforestation and forest restoration and** *avoid the loss of forest cover and forest degradation [and to support reforestation, afforestation and forest restoration]* (IRN, CHN);[78] (EU, MYS, KHM) (*include in section VI on National measures* (USA))

[(i)] (USA) *Creating an enabling environment for the involvement of and investment by local communities and other forest users in sustainable forest management*;[79] (EU) (*include in section VI on National measures* (USA))

[(j)] (USA, IRN) [Initiate or] (IND) strengthen public-private partnerships to promote implementation of national forest programmes [criteria and indicators] (IND, AG) for sustainable forest management [and good business practices] (IND), **including contractual obligations for existing and future concessionaries to practice sustainable forest management**; (CHE, KHM, MG) (USA) (AUS, BRA, EU, NZL, PAK, ZAF) (*include in section VI on National measures* (USA, IRN, URY, PAK)) (*retain original* (MEX, URY, KHM))

(k) *Further develop[ing]* **and implement** (USA) *innovative financial mechanisms,* **including debt reduction mechanisms** (USA, GTM), **[payments for ecosystem services through** (CHE, MEX)**]** (VEN, IND, COL, IDN, ARG, MYS, CHN) **[the recognition of forest cover maintenance and recovery as an activity that generates carbon emission reduction credits to be traded in the international markets** (CRI, GTM, MEX)**]** (EU) *for generating revenue to support*

[75] Ibid., para. 5 (f).
[76] Ibid., para. 5 (g).
[77] Ibid., para. 5 (h).
[78] Ibid., para. 5 (i).
[79] Ibid., para. 5 (j).

sustainable forest management;[80] (EU, IDN, ZAF) (*prefer original* (IND, COL, CHN, VEN, AG, EGY, PAK, IRN, IDN, MYS))

[(l)] (USA) [*Encouraging the development of mechanisms, [which may include]* **including** (EU)]/[**develop and implement** (NOR)] *systems for attributing proper value, as appropriate, to the* **costs and** (MAR) *benefits derived from goods and services provided by forests and trees outside forests, consistent with relevant national legislation and policies;*[81] (COL, EU, PAK, ZAF, CHE, USA) (*include in section VI on National measures* (USA)) (*prefer original* (IND))

(m) Creating financial mechanisms to support [new] (KHM) smaller land owners or users, especially in developing countries; (ZAF)

(m) bis. Creating financial mechanisms to support forestry related rural development for the benefit of forest dependent local [peoples] communities (MEX, CHE), **especially in developing countries;** (MG, EU, MEX, AG)

[(n)] (USA, MYS, VEN, CHN) Developing and implementing clean development mechanism strategies **and proposals for reducing transaction costs** (CRI) for [participating] **the participation of developing countries** (MEX) in market-based mechanisms of carbon sequestration promoting afforestation and reforestation **[as well as mechanisms to reduce deforestation, particularly in developing countries and countries with economies in transition** (MEX, KHM, GTM)] (CHE). **[In this regard, the World Bank and other international and bilateral financial institutions to be requested to allocate clean development mechanism funds to achieve the purposes of afforestation and reforestation projects, especially for developing countries** (EGY)]/[**member countries to prepare and implement clean development mechanism strategies to get into market-based mechanisms of carbon sequestration through expansion of carbon sinks. The Asian Development Bank, the World Bank and other international and bilateral financial institutions to be requested to allocate clean development mechanism funds for afforestation/reforestation projects;** (PAK, EGY)]

(o) *Fostering access, where appropriate, by households and communities to forest resources and markets;*[82] (EU, ZAF, USA) (*to be moved to section VI on National measures* (USA)) (*to be moved to section XIII.B on Incentives* (AG))

(o) bis. Identify and implement measures to improve regional and international coordination among sectors affecting and affected by forest management (USA) (*to be placed in this section, but not necessarily under Finance* (USA))

(p) *Supporting livelihoods and income diversification from forest products and services for small-scale forest owners, indigenous peoples, including forest-dependent local communities and poor people living in and around forest areas, consistent with sustainable forest management objectives,* **including enforcement of International Labour Organization core labour standards** (MG).[83] (EU, ZAF, USA, IRN) (*prefer original* (CHN, IND, AG))

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[80] Ibid., para. 5 (k).
[81] Ibid., para. 5 (l).
[82] Ibid., para. 5 (m).
[83] Ibid., para. 5 (n).

(p) bis. Develop a mechanism of positive incentives to finance the efforts from developing countries to reduce the loss of forests and implement sustainable forest management. (BRA, MYS)

[B.] Incentives (JPN, IND, NZL, AUS)

(*move to section XII* (IRN)) (*Move to para. 8 (j)* (NZL))

37. [Member States will, as appropriate, adopt]/**[support the efforts of countries to develop and implement** (USA, IRN, NZL)**]** economically, **culturally** (IRN) and socially sound measures [that act as incentives] (AUS, NZL, JPN) for the [conservation and] (IND, NOR) sustainable management of forests, **including the development of financial strategies.** (CRI) (EU) (PAK)

[38.] (JPN, USA, NZL, AUS) Member States shall encourage/promote remunerative returns on timber and non-timber forest products sourced from sustainably managed forests to enable developing countries to finance sustainable forest management. (ASEAN, MYS)

C. Capacity-building and transfer of environmentally sound technologies (AG, ASEAN, AUS, CAN, COL, IDN, PAK, KOR, ZAF, CHE, ZWE)

39. Member States will *promote sustainable forest management, through capacity-building and transfer of* **appropriate and** (IRN) *environmentally sound technologies, including traditional technologies, and taking into account economic, social and environmental priorities specific to countries by:*[84] (EU) (almost all proposals referred to this)

(39, 40 (b), 40 (h), 41 bis) Promote capacity-building, technical assistance and access to and transfer of (appropriate and (IRN)**) environmentally sound technologies to enable countries to implement national policies and measures in reversing the loss of forest cover and increasing the area of protected and national sustainably managed forests.** (USA, EU)

[Capacity-building (AG)**]** (IRN)

40. [Member States decide/are urged to:] (IRN)

(a) *Enhance the capacity of countries, in particular developing countries, to significantly increase the production of forest products from sustainably managed forests;*[85] (BRA, USA)

(b) Promote the transfer of **environmentally sound** (PAK, AG) technology to, and capacity-building in, developing countries to enable them to implement national policies and measures aimed at reversing the loss of forest cover in their territories as well as significantly increase the area of [protected and sustainably managed]/**[all types of** (PAK, IND)**]** forests; (BRA) (NZL, CHN, AG, IND, EU)

[84] Ibid., para. 6.
[85] Ibid., para. 6 (b).

(c) *Promote the active participation and empowerment of all [forest-related stakeholders]*/**[major groups as identified in Agenda 21** (MG)**]**, *especially local and forest-dependent communities, indigenous peoples, women and small-scale private forest owners and forest workers, in the development and implementation of sustainable forest management policies and programmes;*[86] (ASEAN, AUS, BRA, CAN, IDN, NZL, PAK, ZAF, CHE)

(**Note:** Similar paragraph in section VI on National measures)

(*move to sect. VI, National measures* (USA, BRA, EU))

(d) *Strengthen mechanisms that enhance sharing and use of best practices in sustainable forest management;*[87] (NTP)

(e) *Strengthen the capacity of countries*, **in particular developing countries,** (KHM) *to address illegal [practices]*/**[logging** (USA, CHE)**] and [illegal international trade]/[associated trade** (USA, CHE)**] in forest products in the forest sector** (KHM) *according to national legislation [and [illegal]* (AG) *international trade in forest products in the forest sector,]* (KHM, MYS) *through the promotion of* **compliance with and enforcement of** (IRN) *forest law [enforcement]* (IRN) *and governance at the national and subnational and regional and subregional levels, [as appropriate]* (IRN, KHM);[88] (EU) (ASEAN, AUS, IDN, JPN, CHE, USA, EGY, IND, MEX)

(**Note:** EU proposed having this in section IX on international trade) (*to discuss together with national measures* (BRA, KHM, MYS, IND))

[(f)] (CHN) Strengthen the capacity of countries to effectively combat wildlife poaching in forests and related trafficking in [wildlife and wildlife parts]/**[natural resources** (EGY)**], [as well as the traffic of forest-related biological resources,** (BRA, EGY, MYS, VEN, MEX, AG)**]** (USA) through enhanced public awareness, [consumer] (IRN, IND) education, law enforcement and information networks, **in accordance with national legislation and policies** (PAK); (USA) (ASEAN, AUS, IDN, JPN, IND, NOR, PAK, VEN) (*make reference to international obligations* (CHL)) (*incorporate ideas in paras. (f) and (e) to cover both issues in one para.* (AUS))

[Transfer of environmentally sound technologies] (IRN)

[(g)] (AG) Recognizing that both access to and transfer of **appropriate and environmentally sound** (PAK) technology among States are essential elements for the attainment of the overarching objective and purpose of this international instrument/understanding/code, provide and/or facilitate access to and transfer of technologies to other Member States, that are relevant to the achievement of the overarching objective and purpose of this international instrument/ understanding/code; (EU) (almost all proposals referred to this) (*move to preambular para.* (USA, IRN, ARG, CUB))

(h) Enhance access to and transfer of **appropriate and** (IRN, USA, CUB, PAK, AG) environmentally sound technologies **relevant to sustainable forest management** (USA), **including development of value added products** (MYS) and

[86] Ibid., para. 6 (e).
[87] Ibid., para. 6 (f).
[88] Ibid., para. 6 (g).

corresponding know-how, **on mutually agreed terms** (USA) [on favourable terms, including on concessional and preferential terms, as mutually agreed, in accordance with the relevant provisions of Agenda 21]; (USA); (IDN, CUB, PAK, AG, MYS)

(i) *Provide greater support to scientific and technological innovations for sustainable forest management, including innovations that help* **indigenous and** (EU) *local communities undertake sustainable forest management*;[89] (EU) (ZAF)

(j) Strengthen national and local capacity for the **development and** (BRA, MYS, IRN, VEN) adaptation of technologies to national and local conditions; (ASEAN, EGY)

(k) *Promote international* technical and scientific *cooperation, including South-South cooperation and triangular cooperation* in the field of sustainable forest management, where necessary, through the appropriate international, regional and national institutions **and processes** (IRN);[90] (EU) (BRA, IDN, USA)

(Note: EU had this under technical and scientific cooperation)

(l) Promote effective [protection]/**[preservation** (AUS)**], and** (IRN, VEN) use and related benefit-sharing of traditional **forest related** (MG) knowledge **and practices** (IRN, VEN) in sustainable forest management, **[according to national [legislation** (BRA, IRN, VEN)**]/[policy** (CAN)**]]/[in accordance with the principles of the Convention on Biological Diversity** (MG)**]**. (EU) (ASEAN, AUS, CAN, CHE, CHN, ZAF, PAK)

(move to section VI on National measures (USA, AUS, IND)*)*

(m) *Encourage the private sector, including timber processors, exporters and importers, as well as civil society organizations, to develop, promote and implement voluntary instruments, in order to adopt good business practices,* **comply with International Labour Organization core labour standards** (MG) *and to improve market transparency*;[91] (EU) (CAN, CHE, USA)

(Note: Also in section VI on National measures)

(**Note:** EU proposed having this in section IX on International trade) (*in compliance with ILO standards* (MG)) (*move to section VI on National measures* (USA))

(m) bis. Promote the development of freeware-based technology to support the implementation of sustainable forest management and the achievement of the Global Objectives on Forests; (BRA, VEN)

(m) ter. Member/participating/subscribing States should enhance the transfer of environmentally sound technologies for value added processing at source that provides optimum benefits for local communities and indigenous peoples. (MG)

[89] Ibid., para. 6 (a).
[90] Ibid., para. 6 (d).
[91] Ibid., para. 6 (h).

XIV. Technical assistance

41. Member/**participating/subscribing** States will promote the provision of technical assistance to [other member/**participating/subscribing** States, especially those that are] (IRN, PAK, AG, CUB) developing countries [or]/**[and** (IRN, PAK, AG, CUB)**]** countries with economies in transition, either bilaterally or through the appropriate international organizations, with the objective of facilitating the implementation of this International Instrument/Understanding/Code. (EU) (NZL, PAK)

(supports paras. 39, 40 and 41 bis proposed by USA (AUS)*)*

XV. Monitoring, assessment and reporting (AUS, CAN, ZWE)

42. **Each** (IRN, AG, EU, CHE, MEX, PAK) **participating/subscribing**/member State[s] will monitor **its** (IRN, AG, EU, CHE, MEX, PAK) *progress in implementing national measures, policies, actions or specific objectives towards achieving* **national goals [and targets]** (AG) **as well as** (IRN, EU, CHE, MEX, PAK) *the Global Objectives on Forests, taking into consideration, as appropriate, the seven thematic elements of sustainable forest management*[92] (EU) (ASEAN, NZL, IND, AG, BRA) **in an open, transparent manner, involving international organizations and major groups as identified in Agenda 21.** (MG)

43. To measure progress towards the achievement of the Global Objectives on Forests, indicators [will]/**[may** (BRA, AG)**]** be selected, utilizing as much as possible indicators **on the basis of the seven thematic elements of sustainable forest management** (IND) [from existing criteria and indicators processes] (IND). (ASEAN, AUS, IDN, CHE)

42 and 43 alt. Member States will monitor *progress in implementing national measures, policies, actions or specific objectives towards achieving the Global Objectives on Forests, taking into consideration, as appropriate, the seven thematic elements of sustainable forest management*[92] **and utilizing as much as possible indicators from existing criteria and indicators processes.** (AUS, EGY, EU, CHE, MEX, PAK)

44. Member States *will submit, on a voluntary basis, national reports to the United Nations Forum on Forests, on progress in implementing national measures, policies, actions or specific objectives towards achieving the* **national goals and targets as well as the** (MEX) *Global Objectives on Forests* in support of this international instrument/understanding/code, *taking into consideration, as appropriate, the seven thematic elements of sustainable forest management*, **and the Intergovernmental Panel on Forests/Intergovernmental Forum on Forests proposals for action, the multi-year programme of work and drawing on existing efforts to streamline national reporting on forest within the International Arrangement of Forests** (NZL) in one of the official languages of the United Nations within two years after the adoption of this international instrument/understanding/code by the General Assembly, and thereafter *in accordance with* any further decisions of *the Forum* on the submission of such national reports.[92] (EU) (BRA, KOR, ZAF, CHE, USA) [*The Collaborative*

[92] Ibid., para. 19.

Partnership on Forests is also invited to continue to report in a consolidated manner to the United Nations Forum on Forests on its initiatives and activities, including progress on the means of implementation, in support of the work of the Forum] (USA) and the implementation of this international instrument/understanding/code.[93] (EU, USA)

[Comparable methodologies should be utilized, taking into account reports required by other multilateral environmental agreements] (*move to para. 46 (USA)*) (BRA) (ASEAN, NZL, PAK)

(*to divide into two paras.* (EU, MAR, IRN, BRA, AUS) as *reflected in 44 bis and 44 ter below*)

44 bis. Member States *will submit*, **on a voluntary basis and taking into account the availability of resources biannually** (BRA, AUS, AG, PAK), *national reports to the United Nations Forum on Forests, on progress in implementing national measures, policies, actions or specific objectives towards achieving the Global Objectives on Forests* [in support of this international instrument/understanding/code] (BRA, AUS, AG, PAK), *taking into consideration, as appropriate, the seven thematic elements of sustainable forest management*, in one of the official languages of the United Nations [within two years after the adoption of this international instrument/understanding/code by the General Assembly, and thereafter *in accordance with* any further decisions of *the Forum* on the submission of such national reports] (BRA, AUS, AG, PAK).[93] (EU) (BRA, KOR, ZAF, CHE, USA)

44 ter. *The Collaborative Partnership on Forests is also invited to continue to report in a consolidated manner to the United Nations Forum on Forests on its initiatives and activities, including progress on the means of implementation, in support of the work of the Forum* and the implementation of this international instrument/understanding/code.[93] (EU, USA) [Comparable methodologies should be utilized, taking into account reports required by other multilateral environmental agreements (EU, MAR, IRN, BRA)]/**[member/subscribing/participating States may adopt a standard "Forest resource assessment and monitoring" framework containing methodology, frequency and so forth for forest surveys and monitoring, for mutual comparisons and collation.** (PAK)]

44 quater. The secretariat of the United Nations Forum on Forests is requested to support the efforts of the developing countries to enhance their national capacities for monitoring, assessment and reporting as set out in section XV (IRN, IND, PAK) (*placement — here or in Means of implementation*) (*to be moved to Means of implementation* (IND))

[42 and 44 alt. deleted]

42 and 44 second alt. Member/participating/subscribing States agree on a voluntary basis to each submit a national report to the United Nations Forum on Forests on progress in implementing the policies and measures set out in [section VI]/[this instrument] (MEX), **taking into consideration the seven thematic elements of sustainable forest management, and to provide these reports to member organizations of the Collaborative Partnership on Forests where relevant to their programmes of work.** (USA)

[93] Ibid., para. 21.

45. The secretariat of the United Nations Forum on Forests will prepare **[[annual/bi-annual]/[periodic** (CHN)**] reports on the state of implementation of this instrument on the basis of all inputs including [from** (IDN)**] national reports and an analytical** (IRN, PAK, AG, EGY)]/[on the basis of the national reports and any other relevant information,] a synthesis report including recommendations to the Forum on decisions to enhance the implementation of this international instrument/understanding/code. [Relevant] (IDN, EU) members of the Collaborative Partnership on Forests are invited to participate in the preparation of the synthesis report **[as part of]/[taking into account** (IRN)**] the multi-year programme of work** (NZL). (EU) (*under modalities?* (AUS)) (*appropriate to make directive to entity other than States?* (AUS, USA))

46. *The members of the Collaborative Partnership on Forests, [in collaboration with the United Nations Forum on Forests,]* (IDN, IRN) *are [invited]* (AUS) *to further harmonize processes for voluntary monitoring, assessment and reporting,* **[of the implementation of this instrument** (IDN)**]** (USA) *[taking into account, the seven thematic elements for sustainable forest management.]* (MEX) *with a view to reducing the reporting burden on countries.*[94] (EU) (AUS, USA)

46 bis. Member/participating/subscribing States which are also members of the governing bodies of the partner organizations of the Collaborative Partnership on Forests agree to support ongoing efforts of the Partnership to further harmonize processes for monitoring, assessment and reporting, [taking into account the seven thematic elements of sustainable forest management,] (MEX) **with a view to reducing the reporting burden on countries** (USA)

[47.] (EU, IDN) Countries, member organizations of the Collaborative Partnership on Forests, financial institutions and relevant regional and international organizations should strengthen follow-up on the implementation of resolution 4/3 on monitoring, assessment and reporting: criteria and indicators for sustainable forest management, adopted by the fourth session of the Forum. (NTP)

[Peer review of national reports]

[48.] (IND, COL, CHN, IDN, MYS, AG, PAK) Voluntary peer review of national reporting can be agreed to by countries, with the objective of assessing the needs of countries for improving sustainable forest management and for identifying areas requiring financial assistance from the donor community. (CAN, CHE)

Facilitative process [in follow-up to national reports] (EU)

(To be self standing — not under (MAR-EU))

(support facilitation, link to the Forum (CHE)*) (Mandate goes beyond experts — review should be done by States — consider committee as subsidiary body for providing scientific and technical advice — discuss under Modalities* (CHN, IND)*) (could this be done by existing bodies?* (MEX)*) (premature to establish at this time — should be done under the Forum and taking advantage of the Collaborative Partnership on Forests* (CUB)*) (could be done by existing bodies* (ARG, BRA, AG)*) (details should be left to Forum to be made over time* (AUS)*) (can support provided there is a balanced representation of regions/common interest groups* (PAK)*)*

[94] Ibid., para. 20.

(establish link with multi-year programme of work, could be moved to different section (NOR)*) (discuss in modalities, refer to equitable geographical representation — perhaps committee not appropriate at this time, should take into account the capacities of the members of the Collaborative Partnership on Forests* (IRN)*) (involvement of MG?* (MG)*) (representatives of members of the Collaborative Partnership on Forests could also be included in committee* (EU)*) (not to be taken up at the Forum because this would be country specific discussion* (EU)*) (possibility of a roster of experts* (EU)*)*

49. A Committee of experts is hereby established to promote and facilitate the implementation of this international instrument/understanding/code, by, inter alia, giving advice and assistance to the United Nations Forum on Forests, upon its request, regarding international and regional implementation, and to any subscribing State, upon its request, regarding national implementation of this international instrument/understanding/code. (EU)

50. The Committee will conduct its work in a constructive and timely manner, and be non-judicial. (EU)

51. The Committee will consist of [*x*] members nominated by member States and elected by the United Nations Forum on Forests on the basis of [*y*] from each of the five regional groups of the United Nations **and [*z*] focal points from the major groups as identified in Agenda 21** (MG). (EU)

52. Members of the Committee will have recognized competence in the field of sustainable forest management or other relevant fields of this international instrument/understanding/code, including scientific, technical or legal expertise, and they will serve as experts in their individual capacity. (EU)

53. Members will be elected for a period of [*z*] years. Members will not serve for more than two consecutive terms. (EU)

54. The Committee may draw upon outside expertise as it deems necessary. (EU)

55. The Committee will be serviced by the secretariat of the United Nations Forum on Forests and will hold sessions as necessary and, whenever possible, in conjunction with sessions of the Forum. (EU)

56. The Committee will report to each session of the United Nations Forum on Forests on all aspects of its work for consideration and appropriate action by the Forum. (EU)

57. The Committee will, upon a request received in accordance with paragraph 49, consider questions regarding the implementation of this international instrument/understanding/code in consultation with the subscribing State concerned and in light of the nature of the question, and may:

(a) Clarify and resolve questions of implementation;

(b) Provide advice to the subscribing State concerned, including on the access to technical and financial resources for the resolution of these difficulties;

(c) Assist, as appropriate, the subscribing State concerned to further develop national forest programmes, policies and strategies with a view to the implementation of this international instrument/understanding/code within an adequate time frame;

(d) Invite the subscribing State concerned to submit progress reports to the Committee on the efforts it is making to implement the provisions of this international instrument/understanding/code. (EU) (Pakistan can support provided that there is balanced representation of regions/common interest groups.)

XVI. Information exchange (AUS, CHE)

58. Member States will facilitate the exchange of information on sustainable forest management, including exchange of the results of technical, scientific and socio-economic research, as well as information on training and surveying programmes, specialized knowledge and indigenous and traditional **forest-related** (MG) knowledge. (ASEAN, EU)

59. *The Collaborative Partnership on Forests is also invited to enhance cooperation and cross-sectoral policy and programme coordination by promoting the exchange of forest management-related experiences and* best *practices and consider the feasibility of serving as a clearing house to facilitate the access by developing countries, as well as countries with economies in transition, to better technology for sustainable forest management* and for promoting technical and scientific cooperation.[95] (BRA, EU, USA)

(**Note**: This could also go under International cooperation as proposed by USA)

(**Note**: Pakistan supports the establishment of a clearing house mechanism by countries, particularly at the regional level. ASEAN favours a clearing house mechanism but without mentioning the Collaborative Partnership on Forests)

XVII. Institutional and working modalities (AG)

A. [Governing body]/[intergovernmental forum (EU)]

60. The United Nations Forum on Forests will serve as the [governing body]/[intergovernmental forum (EU)] of this instrument/understanding/code. (BRA, EU, IDN)

61. The functions of the United Nations Forum on Forests will be to monitor and promote the full implementation of this international instrument/understanding/code, keeping in view [its] (BRA)/[international instrument/code/instrument (EU)] [overarching objective] (EU) and purpose, inter alia, by adopting plans and programmes, [including a multi-year programme of work for the UNFF (NZL)] (EU) and for the implementation of this international instrument/understanding/code. (EU)

B. Meetings

62. The United Nations Forum on Forests will assess progress in the implementation of the instrument/understanding/code, including a review of national reports, the mobilization of resources, support provided by the

[95] Ibid., para. 8.

Collaborative Partnership on Forests and cooperation with other forest-related processes. [The Forum [will also decide on priorities and emerging issues to be addressed [by the]/[**in the context of implementation of the** (NZL, AUS)] instrument/understanding/code and] (USA) [will consider and decide upon any additional actions] (USA) required for the implementation of the instrument/understanding/code and the achievement of the Global Objectives on Forests.] (SEN) (BRA, EU, IDN, NZL, ZAF, CHE, CUB)

63. In addressing the implementation of this instrument/understanding/code, the *United Nations Forum on Forests should consider inputs from forest-related regional and subregional bodies, mechanisms and processes and from country-led initiatives, as well as from major groups.*[96] (AUS, BRA, EU, JPN, ZAF, USA)

64. [On]/[**For**] (CAN) alternate [years]/[**meetings**] (CAN), regional and subregional meetings should be held to discuss practical steps for the implementation of this instrument/understanding/code at the national and regional levels. Such meetings should be conducted by regional or subregional organizations, **in particular the Regional Forestry Commissions** (IND), mandated by their member States and acknowledged by the United Nations Forum on Forests. Meetings should be prepared jointly by the designated organizations and the secretariat of the Forum. (BRA) (IDN, NZL) (*regional element and role of subregional and regional meetings a priority* (NZL)) (*don't want special meetings but should use existing meetings/processes* (CHE, USA))

65. *The United Nations Forum on Forests should continue to support participants from developing countries, with priority to the least developed countries, as well as from countries with economies in transition, in accordance with General Assembly decision 58/554.*[97,98] (NTP)

C. Subsidiary bodies

66. The **United Nations** Forum **on Forests** (CUB, CRI, ARG) may establish, as necessary, subsidiary or advisory bodies for supporting the implementation of the instrument. This could include, inter alia, ad hoc expert groups, ad hoc working groups, [scientific and/or technical advisory bodies] (MEX, CUB, CRI, ARG) and other intersessional bodies. (EU)

D. Stakeholder participation (AG, AUS, COL, MEX)

(*need this sub-heading?* (USA, CHN))

67. [*Voluntary*] (PAK) *public-private partnerships and private sector initiatives at all levels* make important contributions to *the achievement of the effective implementation of sustainable forest management and support national strategies, plans and priorities related to forests.*[99] (AUS, BRA, EU, NZL, PAK, ZAF, CHE,

[96] Ibid., para. 15.

[97] Ibid., para. 16.

[98] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 49* (A/58/49), vol. II.

[99] Economic and Social Council resolution 2006/49, eleventh preambular para.

USA, ZWE) *(include in Principles* (USA, PAK)*) (should not be in this section* (IRN)*) (need to clarify stakeholders* (IRN)*) (move to another section* (MEX)*)*

68. The United Nations Forum on Forests should continue to encourage and facilitate participation of *major groups* **as identified in Agenda 21** *and other* **relevant** *forest stakeholders in the meetings and work of the Forum* **in accordance with the rules and procedures of the United Nations** (CHN, IRN) **with balanced geographic representation** (IRN).[100] (AUS, BRA, CAN, EU, IDN, KOR, CHE)

E. Multi-year programme of work

69. *A multi-year programme of work* for the Forum and this instrument/understanding/code for the period 2007-2015 will **be designed with the involvement of member/participating/subscribing States, intergovernmental organizations and major groups as identified in Agenda 21 and will** (MG) *be adopted by the Forum at its seventh session.*[101] (RA) (AUS, ZAF)

70. *Country-* and organization-*led initiatives should address issues identified in the multi-year programme of work for a given cycle.*[102] (NTP)

71. *Ad hoc expert groups, as referred to in paragraph 4(k) of Economic and Social Council resolution 2000/35, could be convened to address issues identified in the multi-year programme of work.*[103] (EU)

F. United Nations Forum on Forests secretariat (AUS)

72. The secretariat of the United Nations Forum on Forests will serve as the secretariat of this instrument/understanding/code. (EU, IDN, ZAF, USA)

73. The Forum secretariat will perform functions, including:

(a) Arrange for and service sessions of the Forum and of any subsidiary body that may be established;

(b) Assist the Forum in carrying out its functions, including the performance of specific tasks that the Forum may decide to assign to it;

(c) Report on its activities to the Forum with respect to this [international] (AG) instrument/understanding/code. (EU)

(c) bis. Fulfil any other duties that may be required by the Forum. (RUS)

74. The secretariat will cooperate with relevant international organizations, institutions and treaty bodies, in particular through the Collaborative Partnership on Forests, and major groups **as identified in Agenda 21** (MG) in [achieving]/**[promoting the achievement of]** (CRI) the objectives of this [international] (AG) instrument/understanding/code. (EU)

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[100] Ibid., para. 12.
[101] Ibid., para. 10
[102] Ibid., para. 13.
[103] Ibid., para. 14.

[75.] (EU) *Consideration will be given on ways of strengthening the secretariat of the United Nations Forum on Forests within existing resources, as well as through increased voluntary extrabudgetary resources to enable it to fulfil its function more effectively, bearing in mind paragraph 163 (b) of the 2005 World Summit Outcome Document.*[104] (NTP)

G. Trust Fund for the United Nations Forum on Forests

[76.] (EU) Bearing in mind the importance of the Trust Fund for the United Nations Forum on Forests [to support participants from developing countries and countries with economies in transition in the meetings of the Forum] (RUS) as well as the work of the Forum secretariat, *donor Governments, financial institutions and other organizations are called upon to make voluntary financial contributions to the Trust Fund; and other countries in the position to do so, as well as other interested parties are urged to contribute to the Trust Fund.*[105] (NTP) *(general formulation to highlight the importance of the Trust Fund in fulfilling the work of the Forum* (RUS)*)*

H. Review of progress achieved: 2015

77. *[The effectiveness of the international arrangement on forests* and this non-legally binding instrument/understanding/code *will be reviewed in 2015]/and on this basis a full range of options will be considered, including, inter alia, a legally binding instrument on all types of forests, strengthening the current arrangement, continuation of the current arrangement and other options.*[106] (ASEAN, AUS, EU, IDN, CHE, USA)

77 bis. Member/participating/subscribing states agree to together review the effectiveness of this instrument/understanding/code and assess progress made in its implementation in [2015]/[2012 (MEX, ARG, CRI, EGY)**]/[2011** (CUB, MEX, URU, ARG)**] and identify further actions needed** (USA, EGY, BRA)

77 ter. Member/participating/subscribing States will review (USA) **the effectiveness of this international instrument/understanding/code [will be reviewed]** (USA) **[in]/[no later than** (IDN, IND, CUB, CHN)**] 2015; in the context of the overall review of the international arrangement on forests and on this basis** *a full range of options will be considered, including, inter alia, a legally binding instrument on all types of forests, strengthening the current arrangement, continuation of the current arrangement and other options.* (EU, IDN, CUB)

XVIII. Adoption/subscription

78. The member States of the United Nations Forum on Forests at its seventh session [adopt] **adopted** (CUB) this international instrument/understanding/code on the sustainable management of all types of forests. (AUS, PAK, CHE, USA, CUB, SEN, EGY) *(technically not necessary to include in the body of the instrument*

[104] Ibid., para. 17.
[105] Ibid., para. 18.
[106] Ibid., para. 32.

(RUS, EU)) (ratification?, accession? (SEN)) *(contents to be incorporated in a resolution of the Forum rather than in instrument* (MEX, IRN, USA, NZL)) *(favour universal adoption* (CHN)) *(Should be done as per United Nations system* (PAK)) *(favour adoption by the General Assembly* (EU))

[79.] (SEN) Member States further decide that the instrument/understanding/code will be open for subscription by States and regional economic integration organizations by submitting [a diplomatic note] (CHN) to the secretariat of the United Nations Forum on Forests. This procedure applies mutatis mutandis to the withdrawal of States and regional economic integration organizations from this instrument/understanding/code. The secretariat of the Forum should disseminate the status of States' subscription to the instrument/understanding/code to all member States of the Forum on a periodic basis; (EU, IDN)

(subscription could be very time consuming (RUS)) *(oppose subscription and having two categories of countries* (RUS, CHE)) *(could seek other ways to achieve goals of raising profile and securing political commitment, for example the adoption by the General Assembly* (USA, BRA))

80. The present international instrument/understanding/code becomes operational on [*day of inauguration*]. (EU)

XIX. Amendments/modifications

[81.] (USA, BRA, NZL) The [United Nations Forum on Forests]/**[member/ participating/subscribing States]** (CHN) may decide on amendments/ modifications to this international instrument/understanding/code subject to adoption by the General Assembly. (EU) (ZAF, CUB, MEX) *(Not include this in a non-legally binding instrument* (USA, BRA, NZL))

XX. Adoption of annexes and supplementary instruments

[82.] (USA, BRA, NZL) The [UNFF] **member/participating/subscribing States** (CHN) may decide on annexes and supplementary instruments to this instrument/understanding/code subject to adoption by the General Assembly. (EU, CUB) *(relationship of text to annexes — same force or not?* (SEN))

XXI. Authentic texts

[83.] (USA, BRA, NZL) The original of this international instrument/understanding/ code, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, will be deposited with the Secretariat. (EU, CUB)

Annex II

List of participants

Member States

Algeria

Mr. Youcef Yousfi
Mr. Abdesselam Chelghoum
Mr. Mourad Benmehidi
Mr. Mohamed Seghir Melloudi
Mr. Mohamed Sofiane Berrah

Andorra

Mr. Julian Vila-Coma
Ms. Maria Ubach
Ms. Jelena Pia-Comella
Ms. Sabrina Pujol-Elmergui

Argentina

Mr. Gustavo Ainchil
Mr. Jose Luis Sutera*

Armenia

Mr. Armen Martirosyan
Mr. Artur Petrosyan*
Mr. Ara Margarian

Australia

Mr. Tony Bartlett*
Mr. Jon Drohan
Dr. Dean Bialek

Austria

Mr. Ingwald Gschwandtl
Mr. Georg Rappold

Azerbaijan

Mr. Agshin Mehdiyev
Mr. Khalil Ramazanov*
Ms. Husniyya Mammadova

Bangladesh

Dr. Iftekhar Ahmed Chowdhury
Mr. Abdul Alim

Belgium

Ms. Christine Detaille
Mr. Carl De Schepper
Mr. Dries Van Eeckhoutte

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Mr. Galetshajwe L. Rebagamang
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Mr. Benedicto Fonseca Filho
Mr. Bernado Paranhos Velloso
Mr. Luis Guilherme Nascentes da Silva
Ms. Simone Meira Dias
Ms. Raquel Breda dos Santos

Bulgaria

Mr. Ivan Marinov Gospodinov*

Burkina Faso

Mr. Michel Kafando
Mr. Bonaventure Koudougou
Mr. Francois Oubida
Mr. Ibrahim Lankoande*

Cambodia

Mr. Sokh Heng*
Mr. Touch Salin

Cameroon

Mr. Joseph Claude Abena*

Canada

Ms. Jaye Shuttleworth*
Ms. Sandra Ribey
Ms. Marie-Annick Amyot

Cape Verde

Mr. Domingos Gonçalves De Barros*

Central African Republic

Mr. Theodore Mbaro*

Chile

Mr. Cristian Maquiera*
Mr. Fernando Zalaquett
Mr. Andres Landerretche

China

Mr. Qu Guilin*
Ms. Bai Yongjie
Mr. Song Dong
Ms. Liu Xin
Mr. Jiang Chunqian

Colombia

Mr. Jorge Hernan Betancour Mejia*

Comoros

Mr. Aboulhouda Youssouf*

Costa Rica

Mr. Ricardo Ulate*
Ms. Cinthia Soto

Croatia

Mrs. Mirjana Mladineo
Mrs. Irena Zubcevic
Ms. Alemka Vrcan*

Cuba

Dr. Modesto Fernandez Diaz-Silveira*

Democratic Republic of the Congo

Mr. Sebastien Mbala Malele*

Denmark

Mr. Peter Aarup Iversen*

Egypt

Dr. Moustafa Sabri El-Hakeem*

El Salvador

Mrs. Carmen Maria Gallardo Hernandez
Miss Vanesa Interiano
Mr. Josue Mario Guardado Rodriguez*

Fiji

Mr. Samuela Vakaloloma Lagataki*

Finland

Mr. Markku Aho
Ms. Taina Veltheim
Ms. Leena Karjalainen-Balk
Mr. Teemu Seppa
Mr. Janne Narakka

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Mr. Alain Chaudron
Mr. Pierre Sigaud
Mr. Olivier Lacroix
Mr. Stanislas Lequiller

Gabon

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Germany

Mr. Matthias Schwoerer
Ms. Astrid Thyssen
Mr. Matthias Reiche
Mr. Albert Graf
Mrs. Evy von Pfeil
Mr. Thomas Schneider

Ghana

Mr. Fredua Agyeman*
Mr. Damptey B. Asare

Guatemala

Mr. Jorge Skinner-Klee
Mr. Jose Alberto Briz
Ms. Melanie Santizo
Mr. Jose Rolando Zanotti de Leon*

Guinea

Mr. Alpha Ibrahima Sow
Mrs. Christine Sagno*
Mr. Mohamed Lankan Traore
Mr. Mohamed Cherif Diallo

Hungary

Mr. Peter Csoka

India

Mr. Jitendra Vir Sharma*

Indonesia

Dr. Tonny Soehartono
Mr. Salman Al-Farisi*
Mr. I. B. Putera Parthama

Iran (Islamic Republic of)

Mr. Javad Amin-Mansour

Ireland

Mr. Kevin Dowling
Ms. Denise McQuade
Mr. Luke Feeney

Italy

Ms. Lavinia Monti*

Jamaica

Ms. Marilyn Headley
Mrs. Dierdre Mills

Japan

Mr. Jiro Kodera
Mr. Kazuo Sunaga
Mr. Hiroki Miyazono
Mr. Yukihiro Takeya
Mr. Yoshiaki Ito
Ms. Saori Nagahara

Kenya

Mr. David K. Mbugua*
Mr. Frederik L. Matwang'a
Mr. John K. Mosoti

Kyrgyzstan

Mr. Baktybek Koichumanov*

Latvia

Mr. Arvids Ozols*
Mrs. Sarmite Danne

Lebanon

Mr. Ibrahim Al-Hawi*

Lesotho

Mr. Lebohang Fine Maema
Mr. Halefele Matsipa*
Ms. Limakatso Motjope

Malawi

Mr. Steve D. T. Matenje
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Secretariat of the United Nations Convention to Combat Desertification**

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Annex III

List of documents

Provisional agenda and annotations (E/CN.18/AC.1/2006/1)

Note by the secretariat on developing a non-legally binding instrument on all types of forests (E/CN.18/AC.1/2006/2)

Compilation of proposals and comments on the non-legally binding instrument on all types of forests (E/CN.18/AC.1/2006/3)

Economic and Social Council resolution 2006/49 (see E/2006/INF/2/Add.1; to be issued as *Official Records of the Economic and Social Council, 2006, Supplement No. 1* (E/2006/99))